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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government
of India (other than the Ministry of Defence)

विधि और न्याय मंत्रालय

(विधि कार्य विभाग)

सूचनाएं

नई दिल्ली, 30 जनवरी, 1992

का. आ. 761—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री रमेश कुमार चारण एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बलोत्रा (सब डिविजन) राजस्थान में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(19)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

Judicial Section

NOTICES

New Delhi, the 30th January, 1992

S.O. 761.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Ramesh Kumar Charan Advocate for appointment as a Notary to practise in Balotra Sub Division Rajasthan.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(19)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 31 जनवरी, 1992

का.आ. 762—नोटरी नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री कायटानो-डा रोसारीयो रोडीजेयस एडवोकेट ने

उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे गोवा में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(24) 92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 31st January, 1992

S.O. 762.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Caltano de Rosaro Rodrigues, Advocate for appointment as a Notary to practise in Goa State.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(24)92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 31 जनवरी, 1992

का.आ. 763.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री अनन्त चिन्तामन परांजपे एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे दादर (जिला थाने) बम्बई में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा 5(25) 92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 31st January, 1992

S.O. 763.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Anant Chintaman Paranjpe, Advocate for appointment as a Notary to practise in Dadar (Distt. Thane), Bombay.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(25)92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 31 जनवरी, 1992

का.आ. 764.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री गंगाधर नारायण शिंदे एडवोकेट ने उक्त प्राधिकारी

को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे नासिक (महाराष्ट्र) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(26)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 31st January, 1992

S.O. 764.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Gangadhar Narayan Shinde, Advocate for appointment as a Notary to practise in Nasik, Maharashtra.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(26)92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 31 जनवरी, 1992

का.आ. 765.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री प्रफुल्लचन्द्र महादेव प्रधान ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे महाराष्ट्र राज्य में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा 5(27) 92-न्या.]

पी.सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 31st January, 1992

S.O. 765.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Prafulchandra Mahadev Pradhan, Advocate for appointment as a Notary to practise in Maharashtra State.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(27)92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 31 जनवरी, 1992

का.आ. 766.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री मुश्तक अली अमीर अली सैयद एडवोकेट ने उक्त

प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे जिजा कौरा गुजरात में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(28)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 3rd February, 1992

S.O. 766.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Mustakali Amirali Saiyed, Advocate for appointment as a Notary to practise in Kaira Distt., Gujarat.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(28)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 3 फरवरी, 1992

का.आ. 767.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री नवनीत लाल वर्मा, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे उदयपुर (राजस्थान) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(29)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 3rd February, 1992

S.O. 767.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Navneet Lal Varma, Advocate for appointment as a Notary to practise in Udaipur (Rajasthan).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(29)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 3 फरवरी, 1992

का.आ. 768.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री नजामुल हुसैन एस. तिरमिजी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक

आवेदन इस बात के लिए दिया है कि उसे अहमदाबाद (गुजरात) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(30)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 3rd February, 1992

S.O. 768.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Najamul Hussain S. Tirmizi, Advocate for appointment as a Notary to practise in Ahmedabad, Gujarat.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(30)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 3 फरवरी, 1992

का.आ. 769.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री परमानन्द बैनर्जी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे आसनसोल, पश्चिम बंगाल में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(31)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 3rd February, 1992

S.O. 769.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sri Parmananda Banerjee, Advocate for appointment as a Notary to practise in Asansol, West Bengal.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(31)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 4 फरवरी, 1992

का.आ. 770.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री प्रभाकर उत्तमराव कालुसेगटिल एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे औरंगाबाद (महाराष्ट्र) में व्यवसाय करने के लिए नोटरी के रूप में

नियुक्ति पर किसी भी प्रकार का अपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(32)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 4th February, 1992.

S.O. 770.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Prabhakar Uttamrao Kalusepatil, Advocate for appointment as a Notary to practise in Aurangabad (Maharashtra).

2. Any objection to the appointment of the said person as Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(32)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 4 फरवरी, 1992

का.आ. 771.—नोटरी नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री बरनाकेर गणेश, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे रायचूर जिला (कर्नाटक) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का अपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(33)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 4th February, 1992

S.O. 771.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Vernekar Ganesh Advocate for appointment as a Notary to practise in Raichur Distt. Karnataka.

2. Any objection to the appointment of the said person as Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(33)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 4 फरवरी, 1992

का.आ. 772.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री शाहपुर रहमान, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे शाहपुर जिला गुलबर्गा (कर्नाटक) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का अपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(34)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 4th February, 1992

S.O. 772.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Inayatpur Rahman, Advocate for appointment as a Notary to practise in Shahapur Distt. Gulbarga (Karnataka).

2. Any objection to the appointment of the said person as Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(34)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 4 फरवरी, 1992

का.आ. 773.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री बी. एम. सिरूर, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे येलबुर्गा (जिला रायचूर) कर्नाटक में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का अपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(36)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 4th February, 1992

S.O. 773.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. B. M. Sirur, Advocate for appointment as a Notary to practise in Yelbuga, Distt. Raichur, Karnataka.

2. Any objection to the appointment of the said person as Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(36)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 5 फरवरी, 1992

का.आ. 774.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री श्रवधेश नारायण सिंह, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे वाराणसी (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का अपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(35)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 5th February, 1992

S.O. 774.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act,

1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Awadhish Narain Singh, Advocate for appointment as a Notary to practise in Varanasi (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(35)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 11 फरवरी, 1992

का.आ. 775.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री टी. पार्थासारथी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे तिरुवल्लूर (तमिलनाडु) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(37)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 11th February, 1992

S.O. 775.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. T. Parthasarthy Advocate for appointment as a Notary to practise in Tiruvallur, Tamil Nadu.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. (37)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 11 फरवरी, 1992

का.आ. 776.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री बी. आर. अग्रवाल, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे समस्त भारत में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(38)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 11th February, 1992

S.O. 776.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. B. R. Agarwal, Advocate for appointment as a Notary to practise in Union of India.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(38)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 11 फरवरी, 1992

का.आ. 777.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री हरीश चन्द्र चौधरी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(39)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 11th February, 1992

S.O. 777.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Harish Chandra Chaudhary for appointment as a Notary to practise in Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(39)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 11 फरवरी, 1992

का.आ. 778.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री तपन दास, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे 24 परगना व कलकत्ता (पश्चिम बंगाल) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(40)/92-न्या.]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 11th February, 1992

S.O. 778.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Tapan Das for appointment as a Notary to practise in 24 Pargana, Calcutta (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(40)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 11 फरवरी, 1992

New Delhi, the 11th February, 1992

क्र. आ. 779.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री महेश्वर सिंह, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे जलन्धर कैंट (पंजाब) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (41)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 11th February, 1992

S.O. 779.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules by Sh. Mohinder Singh, Advocate for appointment as a Notary to practise in Jallundhar Cantt., Punjab.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(41)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 11 फरवरी, 1992

क्र. आ. 780.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री कलाश नाथ धीर एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे जलन्धर (पंजाब) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (42)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 11th February, 1992

S.O. 780.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Kailash Nath Dheer, Advocate for appointment as a Notary to practise in Jallandhar Cantt. Punjab.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(42)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 11 फरवरी, 1992

क्र. आ. 781.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री रघुनाथ बंशोपाध्याय, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे चम्पारण जिला (गर्खिम बंगाल) व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 45 (43)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

S.O. 781.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Raghunath Bandyopadhyay, Advocate for appointment as a Notary to practise in Chin-surah, Distt. Hooghly (West Bengal).

[No. F. 5(43)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 11 फरवरी, 1992

क्र. आ. 782.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री गोबिन्द पुरी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बनोत्रा (जिला बाढ़मेर) राजस्थान में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (44)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 11th February, 1992

S.O. 782.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Gobind Puri, Advocate for appointment as a Notary to practise in Balotra (Distt. Barmer) Rajasthan.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(44)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 13 फरवरी, 1992

क्र. आ. 783.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री गोबिन्द प्रसाद महरोत्रा, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे सीतापुर (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (45)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 13th February, 1992

S.O. 783.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Gobind Prasad Mehrotra, Advocate for appointment as a Notary to practise in Sitapur, U.P.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(45)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 13 फरवरी, 1992

का.आ. 784.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री कृष्ण बिहारी शीवास्वय एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बहराईच (उत्तर प्रदेश) व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (46)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 13th February, 1992

S.O. 784.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Krishna Behari Srivastava Advocate for appointment as a Notary to practise in Beharai U.P.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(46)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 13 फरवरी, 1992

का.आ. 795.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री राज किशोर तिवारी एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 5 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बहराईच (उत्तर प्रदेश) व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (47)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 13th February, 1992

S.O. 785.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Raj Kishore Tewari Advocate for appointment as a Notary to practise in Baharai U.P.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(47)/92Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 14 फरवरी, 1992

का.आ. 787.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री ए.के. विश्वास एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया जाहै कि उसे कलकत्ता हाईकोर्ट में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी

प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(48)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 14th February, 1992

S.O. 786.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. A. K. Biswas, Advocate for appointment as a Notary to practise in Calcutta High Court.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(48)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 14 फरवरी, 1992

का.आ. 787.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि अशोक कुमार एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के अधीन एक आवेदन इस बात के लिए दिया है कि उसे आगरा सिटी (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (49)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 14th February, 1992

S.O. 787.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Ashok Kumar, Advocate for appointment as a Notary to practise in Agra City.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(49)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 17 फरवरी, 1992

का.आ. 788.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री सुभाष चन्द्र गुप्ता एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे मण्डी, इलाहाबाद (मिर्सा) हरियाणा व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(52)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 17th February, 1992

S.O. 788.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Subhash Chander Gupta Advocate for appointment as a Notary to practise in Mandi, Dabwali (Sirsa) Haryana.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(52)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 20 फरवरी, 1992

का.आ. 789.—नोटरी नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री राजेन्द्र नाथ पंडित एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(53)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 20th February, 1992

S.O. 789.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Rajender Nath Pandita Advocate for appointment as a Notary to practise in Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. P. 5(53)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 21 फरवरी, 1992

का.आ. 790.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री चमन प्रकाश श्रीवास्तव एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे फैजाबाद जिला (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिनों के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(55)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 21st February, 1992

S.O. 790.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that

application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Chaman Prakash Srivastava Advocate for appointment as a Notary to practise in Faizabad Distt. (Uttar Pradesh).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(55)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 21 फरवरी, 1992

का.आ. 791.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री एस.एन. सिखवाल एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे सीकर जिला (राजस्थान) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(56)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 21st February, 1992

S.O. 791.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. S. N. Sikwal Advocate for appointment as a Notary to practise in Sikar Distt. (Rajasthan).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(56)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 21 फरवरी, 1992

का.आ. 792.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री बी.एल. गोडा एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे हसन (कर्नाटक) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(57)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

New Delhi, the 21st February, 1992

S.O. 792.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. B. L. Gowda Advocate for appointment as a Notary to practise in Hassan Karnataka.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(57)/92-Judl.]

P. C. KANAN, Competent Authority

नई दिल्ली, 21 फरवरी, 1992

का.आ. 793-केन्द्रीय सरकार, नोटरी अधिनियम, 1952 (1952 का 53) की धारा 6 के उपबन्धों के अनुसरण में, अपने द्वारा नियुक्त किये गए और वर्ष 1992 के प्रारंभ में विधि व्यवसायगत नोटरियों की सूची प्रकाशित करती है:—

क्रम सं.	नोटरी का नाम	आवास और व्यवसाय	अर्हताएं	वह क्षेत्र जिसमें वह विधि व्यवसाय करने के लिये प्राधिकृत है।	टिप्पणियां
1	2	3	4	5	6
1.	सर्वश्री रुस्तक अरवेसिर गगरेट	गगरेट एंड कं. अलीखैबर गंगी नवास मास्टर रोड, मेडोन सेंट फोर्ट, बंबई	अधिवक्ता बंबई	संपूर्ण भारत	—
2.	भगवती प्रसार खैतान	1-बी, प्रोल्ड पोस्ट आफिस स्ट्रीट, कलकत्ता	एटर्नी एट ला कलकत्ता उच्च न्या.	संपूर्ण भारत	—
3.	रवीन्द्र कृष्ण बेव	टेम्पल बेम्बर्से, 6 ओल्ड पोस्ट आफिस स्ट्रीट, कलकत्ता	एटर्नी एट ला कलकत्ता उच्च न्या.	संपूर्ण भारत	—
4.	हिमांशु प्रकाश गांगुली	4, ईश्वर दत्त लेन, होमशा (प. बंगाल)	अधिवक्ता कलकत्ता उच्च न्या.	संपूर्ण भारत	—
5.	सुधीर कुमार डेमलिक	मार्फत माटिनबर्न लि. 12 मिशन रा एम्स, कलकत्ता 1	एटर्नी एट ला कलकत्ता उच्च न्यायालय	संपूर्ण भारत	—
6.	राम मोहन बटर्जी	मार्फत मै. श्रीर बिग्लाम एंड स. सोलिसिटर्स, 29 नेताजी सुभाष रोड, कलकत्ता	सालिसिटर कलकत्ता उच्च न्यायालय	पश्चि. बंगाल, असम बिहार, उ.प्र. और पंजाब	—
7.	प्रभु दयाल हिम्मत सिंहका	6 ओल्ड पोस्ट आफिस स्ट्रीट कलकत्ता	एटर्नी एट ला कलकत्ता उच्च न्या.	संपूर्ण भारत	—
8.	विक्टर इलियम मौसेस	6 प्रोल्ड पोस्ट आफिस स्ट्रीट, कलकत्ता	एटर्नी एट ला कलकत्ता उ. न्या.	संपूर्ण भारत	—
9.	मूलक राज वधावन	अधिवक्ता जलधर मिटो पंजाब	अधिवक्ता पंजाब उ. न्या.	पंजाब और उ.प्र.	—
10.	मनोहर लाल कपूर	30/9 पटेन नगर (पू.) नई दिल्ली	अधिवक्ता	दिल्ली संघ राज्य क्षेत्र	—
11.	हरप्रसाद मेहरा	सं. 3060 चर्खवाला न दिल्ली	अधिवक्ता पंजाब उ. न्या.	संघ राज्य क्षेत्र दिल्ली	—
12.	चमन लाल अरोड़ा	10, न्यू कोर्ट रोड, समुत्तर पंजाब	अधिवक्ता	संपूर्ण भारत	—
13.	वामोदर देवजी वामोदर	मार्फत मै. काणा एंड कं. सालिसिटर रेड्डीमनी मेंशनस, 43, बीरनारी मन रोड, बंबई	सालिसिटर	महाराष्ट्र	—
14.	वेब प्रसाद घोष	मार्फत फाउलर एंड कं. सालिसिटर एंड एडवोकेट्स एंड नोटरीज रीजेंट हाउस 12 गवर्नमेंट प्लेस, पूर्व कलकत्ता-69	एटर्नी एंड नोटरीज गवर्नमेंट प्लेस	संपूर्ण भारत	—
15.	नथमल हिमलमिग का	6 प्रोल्ड पोस्ट आफिस स्ट्रीट कलकत्ता	एटर्नी	संपूर्ण भारत	—
16.	राम किशन गर्ग	56 प्रोल्ड विजय नगर कालोनी, भागरा, (उ.प्र.)	वकील भागरा	जिला भागरा	—
17.	सी. एच. पार्टी वाला	मार्फत मै. काफोर्ड बैले एंड कं. स्टेट बैंक, बिल्डिंग्स बेक स्ट्रीट, बंबई-1	सालिसिटर	संपूर्ण भारत	—
18.	शशीन्द्र सी. मैन	एटर्नी एट ला टेम्पल बेम्बर्से, पहली मंजिल, 6 प्रोल्ड पोस्ट आफिस स्ट्रीट, कलकत्ता	एटर्नी	कलकत्ता	—
19.	डी. ए. मेहता	अधिवक्ता, 43 बी हनुमान रोड, नई दिल्ली	बार एट ला	दिल्ली संघ राज्य क्षेत्र	—
20.	दुर्गा प्रसाद तुलस्यान	अधिवक्ता, धुनसुनु, राजस्थान अधिवक्ता	अधिवक्ता	धुनसुनु जिला राजस्थान	—
21.	एम. ज. दोमित	मै. एम. जी. मोसिल एंड कं. सालिसिटर, 35 एम्बेसी, मार्केट, अहमदाबाद	एटर्नी	गुजरात और महाराष्ट्र	—
22.	नूर मोहम्मद	अधिवक्ता उदयपुर, राज.	अधिवक्ता	उदयपुर जिला (राजस्थान)	—

1	2	3	4	5	6
23.	जितेन्द्र सान्याल	मार्फत मै. सेन्डरमंस रायल इन्वयोरेंस बिल्डिंग 5 और 7, नेताजी सुभाष रोड, कलकत्ता-1	सालिसिटर	संपूर्ण भारत	---
24.	पी.सी. कुरियन	14, कोडी चट्टी स्ट्रीट, II फ्लोर मद्रास 2	अधिवक्ता	मद्रास और केरल	---
25.	सी. आई. बैकट मुन्नहमण्यन	140, कास कट रोड, कोयम्बतूर	अधिवक्ता	कोयम्बतूर जिला	---
26.	पुष्कर लाल जुनेजा	एफ 1, शंकर मार्केट, कनाट सर्कस, नई दिल्ली	अधिवक्ता	संपूर्ण भारत	---
27.	जगन नाथ	सिविल लाईन, मोगा, जिला फिरोजपुर (पंजाब)	अधिवक्ता	मोगा मुख्यालय फिरोजपुर जिला और साथ ही मोगा स्थित मुख्यालय सहित संपूर्ण फरीदकोट जिले में अध्यक्षता करने के लिए प्राधिकृत।	---
28.	रामजी दास	गुरुद्वारा स्ट्रीट, भटिंडा	अधिवक्ता	जिला भटिंडा	---
29.	बाल कृष्ण सिंघन	(पंजाब) अधिवक्ता हनुमान गढ़ टाउन, जिला गंगानगर (राजस्थान)	अधिवक्ता	हनुमानगढ़ स्थित मुख्यालय सहित जिला गंगानगर (राजस्थान)	---
30.	जो.सी. वर्मा	अधिवक्ता और शपथ आयुक्त ई/12, ग्रीन पार्क, नई दिल्ली	अधिवक्ता और दिल्ली संघ राज्य		---
31.	पी.एल. गांधी	अधिवक्ता, गांधी बाग के सामने, मुरत	अधिवक्ता	जिला मुरत	---
32.	ए. आर. मलकानी	अधिवक्ता, बी.बी. जेड. एन. 6, गांधी धाम (कच्छ)	अधिवक्ता	संपूर्ण भारत	---
33.	एन.सी. शाह	नं. 1 बंदवान रोड पहली मंजिल अलीपुर, कलकत्ता 27	अधिवक्ता कलकत्ता	कलकत्ता और नई दिल्ली	---
34.	टी. दलीप सिंह	मार्फत मै. किंग पैट्रिज सैफिड प्लोर, कैथोलिक सेंटर आ मेनियन स्ट्रीट, बाक्स नं. 121, मद्रास-1	अधिवक्ता, मद्रास	संपूर्ण भारत	---
35.	जे. आर. गगराट	मार्फत मै. गगराट एंड कं. अली बैस्वर्स, नगी नदास मास्टर रोड, फोर्ट, बंबई-1	अधिवक्ता, बंबई	संपूर्ण भारत	---
36.	यून मोहन मेहता	13ए/2 राजिन्दर नगर, नई दिल्ली	अधिवक्ता नई दिल्ली	दिल्ली संघ राज्य क्षेत्र	---
37.	सूरजीत सिंह सूब	23, नेताजी पार्क जलंधर सिटी (पंजाब)	अधिवक्ता जलंधर	जलंधर, पंजाब	---
38.	जगजीत सिंह बैस	376, एल. माडल टाउन, जलंधर सिटी पंजाब	अधिवक्ता जलंधर	जलंधर, पंजाब	---
39.	श्री के. जे. खमबाटा	राजव महल, 144 क्वीन्स रोड, बंबई-20	अधिवक्ता	संपूर्ण भारत	---
40.	अम्बे लाल वाबू भाई लाल पटेल	वैध स्ट्रीट, पो. आ. नापासारी जिला पुनसार, गुजरात	अधिवक्ता	गुजरात	---
41.	पूनम नमन सोम चंद शाह	35 एम्बेसी मार्केट विशेष हाल के पास आश्रम रोड, अहमदाबाद-9	अधिवक्ता	गुजरात	---
42.	एच.एम. भगत	मार्फत अम्बू भाई एंड दीवान जी सालिसिटर एंड एडवोकेट्स इंडस्ट्रीज हाउस, आश्रम रोड, अहमदाबाद-9	अधिवक्ता और सालिसिटर	गुजरात	---
43.	एच.बी. छत्रपति	मार्फत मै. भाई शंकर कंगा गिरधारी लाल मानक जी बाजिया सालिसिटर बिल्डिंग, बेल, लेन, फोर्ट बम्बई-1 और मार्फत मै. भाई शंकर कंगा और गिरधारी लाल गुजरात समाचार भवन खानपुर, अहमदाबाद	अधिवक्ता और सालिसिटर	संपूर्ण भारत	---
44.	जी.एस. व्यास	35, लावाण्य नगर, जी बाराज पार्क रोड, इलियम ब्रिज, अहमदाबाद-7	अधिवक्ता	अहमदाबाद, महार	---
45.	अमर सिंह	जमीयत सिंह रोड, मोगा, जिला फरीदकोट, पंजाब	अधिवक्ता	मोगा, जिला फरीदकोट, पंजाब	---

1	2	3	4	5	6
46	बी. एच. अनंतिया	मार्फत मै. मुल्ता एंड मुल्ता एंड ग्रेग एंड कैरोहम, सालिसिटर एंड नोटरीज, जांहागिर बाडिया बिल्डिंग, 51 महात्मा गांधी रोड, बंबई 1	अटर्नी और अधिवक्ता	संपूर्ण भारत	—
47	बी. पी. शुक्ला	रघुनाथ बिल्डिंग, टाउन हान रोकोठ, गुजरात	अधिवक्ता	रोकोठ और जूमागढ़ जिला	—
48	बी. के. भाट्ट	मनमुख निवास, नैरी चारुपवाड बड़ौदा 6	अधिवक्ता	बड़ौदा	—
49	रमेश जे. मेहता	नादियाद, जिला कोरा, गुजरात राज्य	अधिवक्ता	कोरा पंचामा जिला	—
50	अमंत लाल बी. मेहता	मार्फत मालवी रणाष्टोड दाम एंड कं. सालिसिटर एंड एडवोकेट यू यूसफ बिल्डिंग महात्मा गांधी रोड, फोर्ट, बंबई	सालिसिटर	महाराष्ट्र	—
51	मोहिन्द सिंह	277, सैदन गेट जलंधर	अधिवक्ता	संघ राज्य क्षेत्र दिल्ली, उ. प्र. और हरियाणा	—
52	राजिन्द्र कुमार भट्ट	एस 401, ग्रेटर कैलाश नई दिल्ली 48	अधिवक्ता	संघ राज्य क्षेत्र दिल्ली	—
53	नारायण प्रसाद गोयल	ई-165, नारायण बिहार, नई दिल्ली-48	अधिवक्ता		—
54	एस० हसन कोया	सूला यपराम कालीकट, केरल	अधिवक्ता	कालीकट और जिला माला पुरम	—
55	सलिल कुमार गांगुली	50-रामतनु भोस लेन, कलकत्ता-6	अटर्नी एट ला एंड अधिवक्ता	कलकत्ता	—
56	पल्लव कुमार बनर्जी	मै। टी बनर्जी एंड कं. सालिसिटर एंड एडवोकेट्स टेपल 6 ओल्ड पैम्बर्स, नं. पोस्ट आफिस स्ट्रीट, कलकत्ता	सालिसिटर अधिवक्ता	कलकत्ता	—
57	एम. आई. एस. सैन्न	मै० मजुमदार एंड कं. हरमायल बिल्डिंग, 381, डाडी! एनब्र रोड, (पलोर फाटेन), बंबई	सालिसिटर और अधिवक्ता	ग्रेटर बंबई	—
58	वृजभूषण गुप्ता	कलाल मजरी, अंबाला सिटी	अधिवक्ता	अंबाला सिटी	—
59	रघुबीर सिंह कुरहार स. ले. माली गु. बे. मी	धीरवा तहसील, राजस्थान 202, बंधर नगर, राजा-का-सालाब, जयपुर	अधिवक्ता इतिहासता	धिरवा तहसील जयपुर	— —
60	नन्द किशोर पानिख	321, माहुरगढ़ रोड, गो.पाल ह्यूमाई की रस्ती, जयपुर	इतिहासता	जयपुर	—
61	अतिरेकर बास बदगल प्रसा	रेस्टोरेट, जैहरी बाजार, जयपुर-20260-3	अधिवक्ता	जयपुर	—
62	डी. प्रार, जैलवाला	मै. डी. प्रार, जैलवाला एंड कं., सालिसिटर रेडीमनी मेशन 43, वीर नरोत्तम रोड, फोर्ट, बंबई	सालिसिटर और अधिवक्ता	ग्रेटर बंबई	—
63	ए. थानी बा कोस्टा	मै. बा-कोस्टा एंड दा-कोस्टा एडवोकेट्स एंड टैक्स कन्सलटेन्ट्स 21 12, महात्मा गांधी रोड, पहली मंजिल, बंगलौर-1	अधिवक्ता	संपूर्ण भारत	—
64	श्रीमती सुमति अरविश पाटील	234, जैन टेम्पल रोड, गं. मे. नगर, हिव्वाडी, बेलगावि, कर्नाटक	इतिहासता	जिला चें. र. म.	—
65	टी०एम० सेन	मै० खेतान एंड कं० सालिसिटर एंड एडवोकेट्स हिमालय हाउस, सातवां मंजिल, 23 कस्तूरबा गांधी मार्ग, नई दिल्ली	अटर्नी एट ला	संपूर्ण भारत	—
66	श्रीमती एन० अनुसूया बाई	4624/1 शिवाजी रोड, एन. प्रार. मोहल्ला, मैसूर-7	अधिवक्ता	मैसूर सिटी	—
67	पद्मनाथ गंगाधर गोखले सर्वश्री	ए-76, डिफेंस कालोनी, नई दिल्ली	अधिवक्ता	संपूर्ण भारत	—
68	राम नरेश लाल गुप्ता	“बिहारी धाम”, सी-28/70 तेलियाबाग, वाराणसी, कैंट, उ. प्र. प्रदेश	अधिवक्ता	वाराणसी उ० प्रदेश	—

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70.	समूत बसगरधली पूनावाला	12-इस्मायल बिल्डिंग, 381 आ० वाधाभाई नोरीजी रोड, फोर्ट, बंबई-1	अधिवक्ता	महाराष्ट्र	—
71.	अश्वघेन कुमार वर्मा	मार्फत श्री रघुराम वर्मा, सिविल कोर्ट, वाराणसी, उ.प्र.	अधिवक्ता	जिला वाराणसी उ.प्र.	—
72.	गुलाम नाहिर	डी-50/29 गाजीपुर कला, वाराणसी उत्तर प्रदेश	अधिवक्ता	जिला वाराणसी उ.प्र.	—
73.	टी.के० बुध्मगा मनुस्	8/8 हजूर रोड, कोयम्बतूर-641018	अधिवक्ता	कोयम्बतूर	—
74.	किशोरी लाल कपूर	516 चर्चगेट चैम्बर्स, पोखरी मंजिल, 5-न्यू मेरीन लेन्स, बंबई-20	अधिवक्ता	महाराष्ट्र राज्य	—
75.	रामेन्द्र कुमार राय	37, माउथ कुमार पारा लेन, कलकत्ता-42	अधिवक्ता	कलकत्ता और 24 परगना	—
76.	रघुवीर महाराय झाकरी	मिथिल कोर्ट कामपुर	अधिवक्ता	कानपुर और दिल्ली	—
77.	आम प्रकाश जैन	ए-5बी 126-बू, जनकपुरी नई दिल्ली-58	अधिवक्ता	दिल्ली	—
78.	विमल कुमार बनर्जी	3, बंकाशाल स्ट्रीट, कलकत्ता-1	अधिवक्ता	कलकत्ता और 24 परगना	—
79.	पद्मर्मा दाजी खोना	45, टैमरिन्ग स्ट्रीट, फोर्ट बंबई-23	अधिवक्ता	फोर्ट बंबई	—
80.	जी०ए० बनानवाला	मार्फत पायने एंड कं. एसप्लान्डे हाउस, वाउडवे रोड, फोर्ट बंबई-1	अधिवक्ता अधिवक्ता	पूर्ण भारत संपूर्ण भारत	— —
81.	पीया बेनेडिक्ट बेनोहो	कोस्टा परेरा बिल्डिंग, दूसरी मंजिल मार्गोबा सैलेथ्य गोवा	अधिवक्ता	दिल्ली संघ राज्य क्षेत्र	—
82.	कुमारी जसवंत कीर	एच-21, कैलाश कालोनी नई दिल्ली	अधिवक्ता	संपूर्ण भारत	—
83.	इंद्रजितागुन बलमारा	मै० पायने एंड कं. एसप्लान्डे हाउस वाउडवे रोड, फोर्ट बंबई-1	अधिवक्ता	संपूर्ण महाराष्ट्र	—
84.	ब०श्रेय डी रिल्या शेमाई	92, "सतमन" कुपेपरेड, बंबई-5			
85.	रामेश्वर प्रधान गुप्त	88, सी शास्त्री नगर, जोधपुर मुकगसर, जिला फरीदकोट, पंजाब	अधिवक्ता	जिला जोधपुर	—
86.	धूल चन्द	मुक्तसर, जिला फरीदकोट, पंजाब	अधिवक्ता	चंडीगढ़ संघ राज्य क्षेत्र	—
87.	राम रतन लेख	ई.एस-553, मंजिला इन्दुरा जालंधर स्ट्रीट	अधिवक्ता	जलंधर सिटी	—
88.	एम. भाई. सेठना	फजलभाई बिल्डिंग, दूसरी मंजिल, 45/57, एम. जी. रोड, फोर्ट, बंबई-1	अधिवक्ता	बंबई के बाल केशवर और फोर्ट क्षेत्र	—
89.	बुर्गा शंकर दवे	ओसवालवा राजस्थान बांसवाडा—1	अधिवक्ता	बांसवाडा जिला राजस्थान	—
90.	सुरलीधल राव सायक	मकतानपुरा, गुलबर्गा, कर्नाटक	अधिवक्ता	गुलबर्गा जिला उदयपुर	—
91.	भवगवती प्रसाद भट्ट	11-आल मार्ग उदयपुर, राजस्थान	अधिवक्ता	उदयपुर	—
92.	जनकलाल अग्रवाल	9, ग्लेनबिल्ले रोड, वार्जिलिंग	अधिवक्ता	वार्जिलिंग	—
93.	के. सी. सिधवा	शाखा सचिवालय बंबई, आय-कर भवन एनबीसी, न्यू मेरीन लाईन्स, बंबई-20	के. सरकार का अधिवक्ता और सालिसिटर	संपूर्ण भारत	—
94.	सूरत कुमार भास्कर	खेतड़ी जिला झुनझूर, राजस्थान	अधिवक्ता	खेतड़ी, राज.	—
95.	बेबी शरण चोपड़ा	बी-3डू रोजेज, पाली रोड, बंबई	अधिवक्ता	बंबई शहर	—
96.	देवव्रत बसु	7 देवनारायण बास लेन, श्याम बाजार, कलकत्ता	अधिवक्ता	सियालदाह स्थित मुख्यालय सहित 24 परगना	—
97.	कुमारी मंजुला सेन	33, बोनस कुफी परेड, बंबई	अधिवक्ता और सालिसिटर	संपूर्ण भारत	—
98.	ए. सेयब झली	53, अर्मिनियन स्ट्रीट, मद्रास	अधिवक्ता	मद्रास राज्य	—
99.	जी. सी. वर्मा	सिविल कोर्ट्स, जगाधरी, मन्बाला, हरियाणा	जिला अधिवक्ता	जगाधरी	—
100.	गजेन्द्र नाथ चक्रवर्ती	9, ओल्ड पोस्ट आफिस स्ट्रीट, कलकत्ता।	अधिवक्ता	कलकत्ता-1	—
101.	आविती कुमार प्रामाणिक	10, ओल्ड पोस्ट आफिस स्ट्रीट, प्रार. मं. , 110, कलकत्ता	अधिवक्ता	पश्चिमी बंगाल राज्य	—

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102.	इन्द्रा चन्द संचेती	12 ओल्ड पोस्ट आफिस स्ट्रीट, कमरा सं. 110, कलकत्ता	अधिवक्ता	कलकत्ता	—
103.	मनं श्री एस. महाविण्ण	938/II इन्दिरा नगर, मैसूर	अधिवक्ता	मैसूर सिटी	—
104.	के. गुरुबाबु	“सुदर्शन” सोमेश्वर पुरम, तुमकुन, कर्नाटक	अधिवक्ता	जिला और शहर तुमकुन, कर्नाटक	—
105.	सिलोक चन्द मिश्र	बाम बाजार, खालियर	अधिवक्ता	खालियर, म. प्र.	—
106.	अशुवन अग्रवाल	हनुमान गढ़ टाउन जिला श्री गंगा नगर राजस्थान	अधिवक्ता	संपूर्ण हनुमानगढ़ टाउन राज.	—
107.	जगराम सिंह	पीलीकोठी, स्टेशन रोड, मुनसुख राजस्थान	अधिवक्ता	जिला मुनसुख राजस्थान	—
108.	बी. एस. चंद्रा शेखर	2694 अग्रहारा स्ट्रीट, हसन पोस्ट आफिस, कर्नाटक—573201	प्लीडर	कर्नाटक का हसन शहर	—
109.	एस. एन. एस. सी. अश्वरिया	अश्वरिया निवास, मोदी बाड़ा, उदयपुर, राजस्थान	अधिवक्ता	उदयपुर राजस्थान	—
110.	एम. मा. जैन	श्री पार्श्वनाथ जैन कालोनी सुभाष बाग, अजमेर, राजस्थान	अधिवक्ता	अजमेर, राजस्थान	—
111.	राम बाबू श्रीवास्तव	अधिवक्ता, जेल रोड, सीतापुर, उ. प्रदेश	अधिवक्ता	बंगलौर	—
112.	के. बालकृष्ण	नं. 4 थर्ड क्रॉसरोड, पोर्थ ब्लॉक के. पी. इन्स्यू-एक्स, बंगलौर—20	अधिवक्ता	बंगलौर	—
113.	बृज मोहन मिश्रा	15, सदन बाजार, झांसी, उ. प्र.	अधिवक्ता	झांसी उ०प्र०	—
114.	श्रीमती प्रेम लता निगम	294, भार्गव बिल्डिंग, लोबार बाग, सीतापुर	अधिवक्ता	सीतापुर, उ. प्र.	—
115.	सुरजीत सिंह मेहता	181 विश्वकर्मा नगर, यमुना नगर, जिला भ्रमाला, हरियाणा	अधिवक्ता	जगाधरी	—
116.	चन्द्र कुमार मेहता	212-डी, माडल टाउन, यमुना नगर, हरियाणा	अधिवक्ता	यमुना नगर	—
117.	जगदीश चन्द्र घोष	19, शरत बोस रोड, (हकी मपाडा) सिलीगुड़ी—734401, जिला बार्जिलिंग, पश्चिमी बंगाल	अधिवक्ता	सिलीगुड़ी स्थित मुख्यालय सहित जिला बार्जिलिंग	—
118.	अमरेन्द्र नाथ डान	टेम्पल चैम्बर (पहली मंजिल) 6, ओल्ड पोस्ट आफिस स्ट्रीट, कलकत्ता—1	अधिवक्ता	कलकत्ता	—
119.	सर्व श्री राजाराम बसुराय	9 ओल्ड पोस्ट आफिस स्ट्रीट, कलकत्ता	अधिवक्ता और सालिसिस्टर	पश्चिमी बंगाल राज्य	—
120.	बिनोद कान्त वर्मा	मकान सं. 13 ए/1, मयूर बिहार, दिल्ली—91	अधिवक्ता	दिल्ली	—
121.	नंद लाल चौधरी	जे-4/15 राजौरी गार्डन, नई दिल्ली—27	अधिवक्ता	दिल्ली संघ राज्य क्षेत्र	—
122.	देवेन्द्र नाथ मिश्रा	328, गुरु रामदास नगर (सकमी नगर) दिल्ली—31	अधिवक्ता	नई दिल्ली	—
123.	मन मोहन सिंह सेठी	डी-83, अशोक बिहार, नई दिल्ली—52	अधिवक्ता	दिल्ली संघ राज्य	—
124.	जगदीश लाल बत्रा	572, झील कुरुजा, दिल्ली—31	अधिवक्ता	दिल्ली	—
125.	राजबीर सिंह	डी-55/3 मेन रोड, नार्थ घोल्डा, दिल्ली—53	अधिवक्ता	शाहबरा स्थित मुख्या. सहित	—
126.	धीरेन्द्र एच. शाह	फ्लैट नं. 16, चौथी मंजिल, मरीना हाउस, सामने लिबर्टी सिनेमा 5, सरवि लबाससठाकरसी मार्ग, बंबई—20	अधिवक्ता	धोबी तलाब, प्रीम्सेस, स्ट्रीट, जाबरी बाजार कापोड मार्केट मेरीन सेन, बम्बई शहर	—
127.	बी. एस. नरसिंहमन	मार्केट किंग एंड पैट्रीज एडवोकेट 26/1, लैबली रोड, बंगलौर—560001	अटर्नी एट ला.	कर्नाटक राज्य	—

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	सर्वश्री				
128.	एम. के. शेट्टी	1 प्रकाश फ्लैट, 8 पहली मंजिल बी सेन्ट स्ट्रीट, शांताकुज (पश्चिमी) बंबई—400045	अधिवक्ता	शांताकुज एंड कोर्ट एरिया ग्रेटर बंबई	—
129.	मर्कन्द सी. गांधी	मर्कन्दगांधी एंड कं. एडवोकेट्स एंड सिलिसिटर्स ऐकिड पलोर भंगोदय, 79, एम मेजो ज स्ट्रीट, स्ट्रीट, नगीनावास मास्टर रोड, फाट बंबई—23	अधिवक्ता	ग्रेट बंबई	—
130.	प्रतापने बुरसभांजी गांधी	बडिया बिल्डिंग 3 फ्लोर, 17-19 दलाल स्ट्रीट फोर्ट बंबई - 23	एडवोकेट	संपूर्ण महाराष्ट्र, गुजरात, कर्नाटक आंध्रप्रदेश गोवा- वानन एवं वेहली	—
131.	शिव कुमार खन्ना	11, महात्मा गांधी रोड, कलकत्ता—9	एडवोकेट	संपूर्ण भारत	—
132.	सुकुमार घोष	"कनाकाले" 7 ए, प्रीस इनवर शाहतेन सी. प्रार. टी. वाटरटेक नवीम सिनेमा के सामने कलकत्ता - 700033	अधिवक्ता	24 परगना	—
133.	नवगोपाल खेतान	द्वारा खेतान एंड कंपनी 1 ---बोल्ड पोस्ट आफिस गली कलकत्ता—1	अधिवक्ता	कलकत्ता एंड न्यू देहली	—
134.	प्रानतोष कुमार सेन	6-2 मदन स्ट्रीट, 4 फ्लोर कलकत्ता—72	अधिवक्ता	कलकत्ता एवं 24—परगना	—
135.	कृष्ण नंद मिश्रा	109/6 हजरा रोड कलकत्ता—26	अधिवक्ता	—बही—	—
136.	त्रिलोकी शरन उपाध्याय	178-वेस्टिंग तीस हजारी कोर्ट दिल्ली—11054	अधिवक्ता	नौएडा कम्पलक्स गाजिया-बाद, जिल्हा (यू. पी.)	—
137.	गोसार सानमेश्वर	4-3-137 बसस्टैंड रोड, गंगावती	अधिवक्ता	रायचूर	—
138.	बी. एस. चौगुले	1083 अनंत प्रधान गली बंगलाम —590002	अधिवक्ता	बेलगाम	—
139.	सुन्दरम रामासुब्रामानियन	द्वारा मैसर्सकिंगडन पैट्रिज 2 फ्लोर, कैथोलिक सेंटर 64, आमोनियन स्ट्रीट पी. बा. 121 मद्रास—600001	अधिवक्ता	तमिलनाडु	—
140.	राम निरंजन मुनसुबुवाला	8/2 माडेंवली गार्डेंस, कलकत्ता—19	अधिवक्ता	पश्चिम बंगाल और वेहली	—
141.	देव कुमार सिन्हा—	18, रिमेबी रोड, कलकत्ता—19	अधिवक्ता	पश्चिम बंगाल	—
142.	के. बी. शेषाद्री	1208, अशोक नगर, महिला समाज रोड, माडया—करनाटका—571401,	अधिवक्ता	माडया सिटी	—
143.	बीरेन्द्र सिंह बघवार	32-बी, मिता मार्ग, अलवर, राजस्थान	अधिवक्ता	अलवर	—
144.	ऋषिकेश अग्रवाल	नियर मलीक होस्पिटल, बालासम्बद्ध रोड हिमाल	अधिवक्ता	हिसार	—
145.	राम कृष्णासस्था	2 खा, 6 प्रताप नगर, हिसार राजस्थान,	अधिवक्ता	अलवर	—
146.	मार. बी. भोकारे	1284, कसबापिट, पुणे—411011	अधिवक्ता	पुणे	—
147.	सी. एम. छजेव	52, गोडी, पुणे	अधिवक्ता	जयपुर	—
148.	जी. पी. माधुर	प्लॉट नं. सी-248, वेबिन्द मार्ग, तिलक नगर, जयपुर राजस्थान	अधिवक्ता	जयपुर	—
	सर्वश्री				
149.	वनवारी लाल गुप्ता	14, स्क्रीम नं. 1 अलवर, (राजस्थान)	अधिवक्ता	अलवर	—
150.	बी. एस. शेख	बी-43, एच. ए. कानोनी, पिपरी, पुणे—411018	अधिवक्ता	पुणे	—
151.	श्रीमतीजयश्री विजय मोहिते	"तरंग" 23, भोसले नगर, पुणे—311007	अधिवक्ता	पुणे	—
152.	हनुमान सिंह बेनीवाल,	सी/ओ एम/एस अमर सिंह राम स्वर्ण मर्चेन्ट्स, पो. ओ. भद्रा, जिला श्री गंगानगर, राजस्थान—1	अधिवक्ता	नाहर	—
153.	राधेश्याम जिंदल	बी. नं. 44 रोड नं. 5, अशोक नगर, उदमपुर, राजस्थान—313001	अधिवक्ता	उदमपुर	—

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154.	रमेश चन्द्र रनिया शाह	5, अंजना कोमनिथल मैन्टर, 2 मंजिल, आणम रोड, ग्रहमदाबाद—380014	अधिवक्ता	ग्रहमदाबाद	—
155.	एम. एन. देशमुख	देशमुख बाड़ी, पी. , के. रोड मुल्ड—बंबई—80	अधिवक्ता	मुल्ड वैस्ट	—
156.	विनोद ज. वेमास्टर	151, विष्णुना विस्टा, जन. ज. भोंसले मार्ग, बंबई—2	सालिसिस्टर	ग्रेटर बंबई	—
157.	कु. किरण मथी हरणदराय महेता	किरण महल फतेह गंज, बड़ोदा बड़ोदा—390002	अधिवक्ता	फतेहगंज	—
158.	महेन्द्र व्यास	आराधना पैलेस रोड, बड़ोदा—1	अधिवक्ता	बड़ोदा	—
159.	एस. बाबू. रेगे	स्टेट बैंक बिल्डिंग, एन. जी. एन. ईथ मार्ग, बंबई—23	अधिवक्ता	बंबई	—
160.	विसनजीत भार. भेटा	डीबीजड—एस. 51, गांधी धाम, कच्छ—370201	अधिवक्ता	कच्छ	—
161.	अमल कृष्ण बल	टेम्पुल चैम्बर्स, पल्ली मंजिल, कमरा नं. 39, ओल्ड पो. ओ. स्ट्रीट, कलकत्ता—700001	अधिवक्ता और सालिसिस्टर	कलकत्ता	—
162.	ए. एन. गंगुली	एक-ओल्ड पो. ओ. स्ट्रीट, पाइन एण्ड पाइन, पल्ली मंजिल, कमरा नं. 7 कलकत्ता—700001	अधिवक्ता	कलकत्ता	—
163.	धंकर प्रसाद वर्मा	मौ. -डामुचक, मुजफ्फरपुर, बिहार—846001	अधिवक्ता	मुजफ्फरपुर	—
164.	प्रभाकान्त चौधरी	बलभपुर, पो. ओ. पेहरिया सराय, बिहार-846001	अधिवक्ता	दरभंगा	—
165.	राजकुमार खत्री	118, महारमा गांधी रोड, कलकत्ता—7	अधिवक्ता	कलकत्ता	—
166.	नारायण चन्द्र डे	128/सी, नरकेल डंगा, रेखवे कालोनी, कलकत्ता	अधिवक्ता	कलकत्ता	—
167.	पं. राव महागांवकर	एच. नं. 1-14/13/3, नीयर, डां. मथलकर नेल अस्पताल, स्टेशन कोर्ट रोड, गुलबर्गा—585102	अधिवक्ता	गुलबर्गा	—
168.	केवल कृष्ण शर्मा	मुक्तसर, जिला, फरीदकोट, पंजाब	अधिवक्ता	फरीदकोट	—
169.	अमृतलाल बजाज	ई-जी-933, गोविन्द गढ़, जालन्धर सिटी, पंजाब	अधिवक्ता	जालन्धर	—
170.	अबदुल हाफिज खान	बराज पेट, साजथ कोडागुं, कर्नाटक पिन—571218	अधिवक्ता	कोडागु	—
171.	सोह्री रमणीक सिंह	मो. -पंढिया जिला, फिरोजपुर पंजाब—142047	अधिवक्ता	जीरा	—
172.	श्रीमती प्रमला	सी/ओ. श्री डी. सी. खन्ना जीरी, भटियांरोड, पटियाला, पंजाब	अधिवक्ता	पटियाला	—
173.	रमेश अबाजी आधालिकर	415, सांबर पेड, पुणे - -411030	अधिवक्ता	संपूर्ण भारत	—
174.	प्रताप डी. गांधी	7-डी, कन्ड निकेतन, डेगसरनेन, घाट, कोपर, बंबई—77	अधिवक्ता	राज्य—महाराष्ट्र, गुजरात, कर्नाटक, आंध्र प्रदेश, गोवा, मध्य राज्य दिल्ली	—
175.	महेन्द्र के. घेतानी	101-ए, पेराडाइज एपार्टमेंट 44-ए एल, जगमोहन मार्ग, बंबई—36	अधिवक्ता	संपूर्ण भारत	—
176.	बी. मोहन कृष्ण	2/4, अंडरेल पेट, गंदूर—2 (आ. प.)	अधिवक्ता	गुंटूर जिला	—
177.	श्रीमती ज्योति धर्मधिकारी	85, कैनाल रोड, राम वास रोड, नागपुर—440010	अधिवक्ता	नागपुर	—

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	सर्वश्री				
178.	एन. राजा	जबेर बिहार, 2/18, के.ए. सुबमनियम रोड, माटुंगा बंबई-19	अधिवक्ता	ग्रेटर बंबई	—
179.	परमात्मा शरण वाडिय	पुराना 262/2, 10/12/104, शिव रासिक भवन, मो. राजकोट सिटी पो. ओ. धयोड्या, जिला फैजाबाद (उ. प्र.)	अधिवक्ता	फैजाबाद (उ. प्र.)	—
180.	रमेश पी. मछीजा,	14-बी, सुन्दर महल, पहली मंजिल, 141, मैरिन ड्राईव, बंबई-20	अधिवक्ता	संपूर्ण भारत	—
181.	बी. शोशागिरी राव	पुराना नाज थिएटर, चिराला, (आन्ध्रा प्रदेश) 523155	अधिवक्ता	प्रकाशम जिला	—
182.	एन. बी. अग्रवाल	489/3, पुराना बाजार, केरला, पुणे-411003	अधिवक्ता	केरला पुणे	—
183.	कु. सुवेदिता शर्मा,	पी. डब्ल्यू बिल्डिंग, आऊट फ्लोर ओपन, सी. टी. ओ., बंबई-400032	अधिवक्ता	ग्रेटर बंबई	—
184.	मोहिन्द्र पाल सिंह,	5123, मोहल्ला तेलियां, नीयर सुभाष गेट, जगराज, 142026, जिला लुधियाना	अधिवक्ता	जगराज लुहसील	—
185.	जी. बी. बहिया,	1/12, रूप नगर, दिल्ली,	अधिवक्ता	दिल्ली	—
186.	परमेश्वर सिंह उपल	जी-165, नारायणा बिहार, नई दिल्ली-28	अधिवक्ता	संघ राज्य दिल्ली	—
187.	प्रतापसिंह भारद्वाज,	भार./ओ. किल, ओ. ओ. विजवासम, नई दिल्ली-61	अधिवक्ता	नई दिल्ली	—
188.	जी. एस. एबरोल,	पलैट नं. 380, डब्ल्यू जेड-152, मण्डी बाली गली, चांद नगर, नई दिल्ली-110018	अधिवक्ता	राजिस्त्रनगर	—
189.	सत्यपाल	सी-2/92, बी., एम शर्मा जी पलैट, लारेंस रोड, दिल्ली	अधिवक्ता	संघ राज्य दिल्ली	—
190.	निर्मल सिंह नईयर	सी-278, निनी बाग, नई दिल्ली-49	अधिवक्ता	नई दिल्ली	—
191.	रामेश्वर दत्त	6/5771, नई चान्दावाला, जवाहरनगर, दिल्ली-110007	अधिवक्ता	संघ राज्य दिल्ली	—
192.	जनेश्वर दास जैन,	सी-4/145, मफदरजंग डबलपैपमैन्ट ऐरिया, नया होजबास, नई दिल्ली	अधिवक्ता	होजबास ऐरिया मफदर-जंग डबलपैपमैन्ट ऐरिया, निती बाग, गुलमोहर पार्क, बसन्त विहार, पंच-शील और उच्च ग्यायालय	—
193.	सुरेश कुमार अग्रवाल	4312, गली बहूजी बहादुरगढ़ रोड, दिल्ली-110008	अधिवक्ता	संघ राज्य दिल्ली और बंबई	—
194.	इ. कबाल सिंह	राज सिंह नगर, जिला श्री गंगा नगर (राजस्थान)	अधिवक्ता	राजसिंह	—
195.	जी. एल. नन्वा	विशाणु कृपा, कुवन्न नगर, प्रलवर, राजस्थान-305001	अधिवक्ता	प्रलवर	—
196.	शेर सिंह खुल्लर,	स्टेशन रोड, चिरावा (मुजफ्फरगढ़) राजस्थान-333024	अधिवक्ता	चिरावा	—
197.	से. अजीज अहमद नकवी,	302, शर्मा बिल्डिंग्स, रामगंज, अनाज मंडी, जयपुर-302003	अधिवक्ता	राजस्थान	—
198.	कैलाश चन्द्र मोगानी,	21, पार्थ नाथ कालोनी, अजमेर,	अधिवक्ता	अजमेर	—
199.	विक्रम जीन सिंह विश्वाकर्,	शीतल भवन, निकट मेट्रोल स्पोर्ट्स स्कूल, गंजनेर रोड, बीकानेर-334001	अधिवक्ता	बीकानेर	—

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	सर्वश्री				
200.	कर्ण सिंह कोठारी	432, भूपाल पूरा, उबमपुर, राजस्थान	अधिवक्ता	उबमपुर	---
201.	प्रानन्ध बिहारी लाल,	32, माउट रोड, जगदीश कालोनी, ओपोजिट रामगढ़ टाऊन जयपुर—302002	अधिवक्ता	जयपुर	---
202.	एल. एस. अग्रवाला,	महात्मा गांधी रोड, सिलीगुड़ी, पश्चिम बंगाल	अधिवक्ता	सब डिविजन सिलिगुड़ी, जिला दारजिलिंग	---
203.	नेक सिंह,	हनुमान गढ़ अकशन, जिला गांधीनगर, राजस्थान	अधिवक्ता	हनुमानगढ़	---
204.	अनिल कु. शर्मा,	1/1बी, राय लेन, कलकत्ता,	अधिवक्ता	बहाबाजार जोरासंको और जोरा बगान हलाका, कलकत्ता	---
205.	रमेन्द्र चन्द्र अग्रवाल,	नियम माहरगढ़ रोड, 430, चन्द्रपोल बाजार, जयपुर—1	अधिवक्ता	जयपुर	---
206.	विलोप कुमार मजूमदार,	44, मील मपल्लीवेशप्रिय नगर, कलकत्ता—56	अधिवक्ता	रिमालटा सिविल कोर्टस, कलकत्ता	---
207.	शंकरलाल गेहलोत,	गंगाशहर रोड, बीकानेर—334001	अधिवक्ता	बीकानेर	---
208.	नरेश चन्द्र मित्तल,	57, देवी भवनबाजार, जगाधरी 135003 (हरियाणा)	अधिवक्ता	छछरूली (हरियाणा)	---
209.	सुरेन्द्र पाल शर्मा,	134/14, रेलवे रोड, कैथल (हरियाणा)	अधिवक्ता	कैथल (हरियाणा)	---
210.	निहाल चन्द्र सिद्दीकी	एच. नं. 53, विहाइल स्टेट बैंक, छत्तरपुर मध्य प्रदेश—471001	अधिवक्ता	छत्तरपुर (म. प्र.)	---
211.	श्रीमती के. राधामनी भ्रम्मा	“राधिका” भूमिनिधा स्टेट, नियर माषव फार्मसी जंक्शन, कोंचीन-682018	अधिवक्ता	इरनाकुलम	---
212.	जरीबाला भसगरी भली अश्रुल हुसैन	ओफिस 44ए, मेसबित रोड, मजगांव, बंबई—400010	अधिवक्ता	स्टेट महाराष्ट्र	---
213.	ए. एन. खुरपे,	680, ताबूत स्ट्रीट, पुणे—1	अधिवक्ता	पुणे	---
214.	पी. जे. दलाल,	देवराज, ई-3/3 एस. बी. रोड, (परिचामी) बंबई—62	अधिवक्ता	स्टेट महाराष्ट्र	---
215.	कु. शोभा बाबु बास छावरिया	एस. बी. छावरिया एंड कंपनी, पंढके हाउस, 2 मंजिल, मारुति कासलेन, नजदीक हूडलूम हाउस, फोर्ट, बंबई—1	अधिवक्ता	बंबई	---
216.	बी. रामचन्द्र बजे,	120/11, विवेक बोले रोड, पूना—411004	अधिवक्ता	पूणे सिटी	---
217.	काजी डी० हुसैन, साहूदी	अमन गिरनार कावोनो हिल्सबागो बिलगाव-590001 (कर्नाटक)	अधिवक्ता	बिलगाव जिला	---
218.	एस. ए. भोजवाल	आफिस 218/220, बर्धमान चैम्बर्स, 2 मंजिल, कोलासजी पटेल स्ट्रीट, फोर्ट, बंबई—1 मकान, ई-3/0 आई सेक्टर/1 बायी, नई बंबई—400703	अधिवक्ता	संपूर्ण भारत	---
219.	गुरनाम सिंह,	सिविल कोर्ट नियर बी. डी. ओ. ओफिस जगाधरी (हरियाणा)	अधिवक्ता	जगाधरी, भम्बाला सिटी	---
220.	एम. सी. चतुर्वेदी,	78, लोहार बाग, सीतापुर (यू. पी.)	अधिवक्ता	सीतापुर	---
221.	एच. एस. रेणुका प्रसाद,	64, फस्ट मीन रोड, लोवरमैन ओर्बाइस बंगलौर	अधिवक्ता	बंगलौर सिटी कूरल जिला	---
222.	ले. क. चरनजीत सिंह,	118, न्यू जवाहर नगर, जालंधर शहर, (पंजाब)	अधिवक्ता	जालंधर, पंजाब राज्य	---

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	सर्वश्री				
223.	रामचन्द्र शंकर पुरंदरे,	815, रविवार पेठ, पुणे, महाराष्ट्र	अधिवक्ता	धोभाऊठ पुणे	--
224.	मवनीत राय एच. भोगानी	43/1304, धावश नगर, बर्ली, बंबई	अधिवक्ता	बंबई	--
225.	रामेश्वर दास अहलुवालिया	7791/4, नादी महोल्ला, अम्बाला शहर, हरियाणा	अधिवक्ता	अम्बाला शहर (हरियाणा)	--
226.	सुरेश कुमार शर्मा	वाया जी. पी. ओ. पुसाना, तेहसील, बुधारा, जिला भुजफरनगर (यू. पी.)	अधिवक्ता	बुधारा भुजफर नगर (यू. पी.)	--
227.	रघुबीर सिंह	गांव व पो. ओ. बेहरोर, जिला अलवर (राजस्थान)	अधिवक्ता	बहरोर जिला अलवर (राजस्थान)	--
228.	हरीदत्त शर्मा	15, भोविन्द नगर, माकेत कोलानी, ग्राहंगंज, आगरा (यू. पी.)	अधिवक्ता	आगरा (यू. पी.)	--
229.	राम प्रसाद नायर	एन. सी. 24/27, पुराना रेलवे रोड, जालंधर, पंजाब	अधिवक्ता	जालंधर, पंजाब	--
230.	शिव चरण सिंह	अलालबख्श जिला, भरतपुर, राजस्थान	अधिवक्ता	भरतपुर, राजस्थान	--
231.	हस्त्र पाल बंसल	566, सदर बाजार, मुक्तसर, पंजाब	अधिवक्ता	मुक्तसर, पंजाब	--
232.	मानसिंह नरका	किशनगढ़ किला, गांधी पो. ओ. किशनगढ़ बास, जिला अलवर (राजस्थान)	अधिवक्ता	किशनगढ़ बास, जिला अलवर, राजस्थान	--
233.	राजवन्त राय बधावन	भार. ओ. 72/3, प्रीत नगर, लड़ेवाली रोड, जालंधर,	अधिवक्ता	जालंधर, पंजाब	--
234.	एम. भार. खुराना	मकान नं. 229, पो. ओ. डकोडा, जालंधर, पंजाब	अधिवक्ता	जालंधर, पंजाब	--
235.	एन. भार. वमस्तानी	11-इन्ड्यू (महेश प्राम) नजदीक स्टेट बैंक ऑफ़ जूही, गऊमाला, कानपुर (यू.पी.)	अधिवक्ता	कानपुर (यू.पी.)	--
236.	एम.पी. मिश्रा	बंशी, पो.भा. जनसोफी—मराई, जिला वाराणसी (यू.पी.)	अधिवक्ता	वाराणसी (यू.पी.)	--
237.	जे.के. जगियासी	भाराघना—सी-फ्लेट नं. 504, 5, मंजिल, नियर बंबई डाईंग स्प्रिंग मिल्ल, जी०डी० अम्बेडकर रोड, मोई वाला दावर, बंबई-14	अधिवक्ता	बंबई, महाराष्ट्र, दिल्ली	--
238.	मदनलाल अग्रवाल	केरनीटोरा पो.ओ. जिला मिडनापुर, पश्चिम बंगाल	अधिवक्ता	मिडनापुर जिला टाउन	--
239.	प्रधाम प्रसाद सेन	17, हरिसबा रोड, बैरेपोर भानन्दपुरी जिला, नोर्थ, 24, परगनास, पश्चिम बंगाल	अधिवक्ता	पं. बंगाल, अलीपुर सिविल कोर्टम कलकत्ता	--
240.	टेकचन्द कौशिक	भार०ओ 191, सैक्टर-4—भार फरीदाबाद (हरियाणा)	अधिवक्ता	फरीदाबाद	--
241.	नाथानल शर्मा	भार/ओ 3875, के.जी.बी.का रास्ता, जोहरी बाजार, जयपुर (राजस्थान)	अधिवक्ता	जयपुर (राज.)	--
242.	के०एन० बलीकरोम वाला	भार/ओ सईफी सोसायटी नजदीक शारदाबेम हॉस्पिटल, सरसपुर, अहमदाबाद, गुजरात	अधिवक्ता	अहमदाबाद, गुजरात	--
243.	वसन्त जे. वेसाई	भार/ओ 5, भरत कालोनी, स्टैडियम रोड, अहमदाबाद	अधिवक्ता	गुजरात	--
244.	जवाहरलाल बंशीलाल बुगंव	नियम निगड़ी बस स्टैन्ड, निगड़ी, पुणे-44	अधिवक्ता	पूना और पिंपरी, चिचवेद	--

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245.	सर्व श्री ओमप्रकाश गुप्ता	ग्राम. श्री. वारेनगंज, सिपरी बाजार, भांसी (यू.पी.)	अधिवक्ता	भांसी	—
246.	ब्रह्मव के. हीरानी	इस्माईल बिल्डिंग, 381, डा. बी.एन. रोड, फूलोरा फासउनटेन, बंबई	अधिवक्ता	ग्रेटर बंबई	—
247.	उदय एन. घोष	हुडको हाउसिंग इस्टेट, 95 विधान नगर रोड, ब्लोक नं. 13, फ्लैट नं. 171-महली जिल कलकत्ता-54	अधिवक्ता	24, परगनास पश्चिम बंगाल	--
248.	जयन्त सेन गुप्ता	61, बेलीगंज पलेस, कलकत्ता	अधिवक्ता	पार्क सर्कस चौरंगी पार्क स्ट्रीट, कलकत्ता	—
249.	साधन एस. राय	51-बी-रासबिहारी एबन्यू, कलकत्ता-18	अधिवक्ता	वक्षिणी कलकत्ता	—
250.	संजीव कंचन	4, मिलन बिल्डिंग, 189/93 1/2 बाजार गेट स्ट्रीट पेरीमन नारीमन स्ट्रीट, फोर्ट, बम्बई	अधिवक्ता	प्रिननारीमन स्ट्रीट फोर्ट बंबई	--
251.	श्रीमती रत्न भागीरौ	166, बापू बाजार, उदयपुर राज धान	अधिवक्ता	उदयपुर राज.	—
252.	वेदप्रकाश ताहूर	106-ब्रो, पाकेट-4, मयूर विहार, दिल्ली-91	अधिवक्ता	मयूर विहार दिल्ली-91	--
253.	कु. बीना बक्शी	एच. एन. 250, बार्ड नं. 2, महरोली, नई दिल्ली-30	अधिवक्ता	दिल्ली और जिला कोर्ट्स दिल्ली	--
254.	एन. आर. एस. अय्यर	10, उमर मंजिल, कलिना चर्चा, बंबई-29	अधिवक्ता	ग्रेटर बंबई	—
255.	प्रतापसिंह वहिया	रोहतक रोड, नजबोक सूरी पेट्रोल पम्प, सोनीपत	अधिवक्ता	सोनीपत (हरियाणा)	--
256.	सी. शिवबासप्पा	कन्याण भवन, त्यागराज रोड, मैसूर (कर्नाटक)	अधिवक्ता	मैसूर (कर्नाटक)	—
257.	राजेश्वर सिंह	18, डी-ब्लाक, श्रीगंगानगर (राजस्थान)	अधिवक्ता	श्रीगंगानगर (राजस्थान)	--
258.	अशोक कुमार बसु	कलोल क्लब भवन, राजा राममोहन राय रोड, हकीम पुरा, सिलीगुड़ी, (प. बं.)	अधिवक्ता	सिलागुड़ी (राजस्थान)	--
259.	विद्याधर भागवत	एम. सी. नं. 2-282, राम भवन, प्रियम गल, हाथ भहाटा, अजमेर	अधिवक्ता	अजमेर (राज.)	—
260.	विनोद कुमार महापात्र	बांतारामगढ़, जिला गीकर (राजस्थान)	अधिवक्ता	बांतारामगढ़, सोकर	--
261.	रामसरूप महता	मंडी बबाली, सिरसा (हरियाणा)	अधिवक्ता	बबाली, सिरसा (हरियाणा)	--
262.	बी. के. अग्रवाल	443, क्लोथ मार्किट, बिष्णु बाजार, देहली	अधिवक्ता	देहली	—

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263. श्रोमता मंजू भटनागर	2-ए, एच. पी. एल. स्टाफ कालोनी, नई दिल्ली	अधिवक्ता	देहली	-	-
264. सर्वश्री सी. एच. भाब्यायी	फार्म मेन्सन, तृतीय मंजिल, 203, डी एन रोड, फोर्ट, बंबई-23	अधिवक्ता	ग्रेटर बंबई	--	--
265. अलारखा एम. शेख	प्लॉट सं. 476/2, सै-29 गांधी नगर, (गुजरात)	अधिवक्ता	गांधीनगर, मेहसाना और महमदाबाद	--	--
266. फेदयाजुदीन	4-1-70, अशोका रोड, रायचुर-584101 (कर्नाटक)	अधिवक्ता	रायचुर (कर्नाटक)	--	--
267. गुरदेव सिंह सुर	7ए/11, इब्ल्यू. ई. ए. करोलबाग, नई दिल्ली	अधिवक्ता	देहली	--	--
268. भीमसिंह इन्दौरा	आरजेड-36, पालम इक्लेव, नई दिल्ली-45	अधिवक्ता	देहली	--	--
269. सतपाल सिंह सीड़ी	8, सहदेव मार्केट, पो. एण्ड टी. कालोनी, जालन्धर (पंजाब)	अधिवक्ता	जालंधर (पंजाब)	--	--
270. परश्वीकुमार नागोरी	मार्फत भार. सी. पुरोहित, एल. आई. सी. 31, आदर्श कालोनी, निवाहेड़ा (राज.)	अधिवक्ता	निवाहेड़ा (राजस्थान)	--	--
271. दलबीर सिंह पुनिया	म. न. 313 (1)/74, आदर्श नगर, कैथल	अधिवक्ता	कैथल (हरियाणा)	--	--
272. एन. कोटेश्वर राव	सिन्धूर, रायचुर जिला (कर्नाटक)	अधिवक्ता	सिन्धूर, रायचुर (कर्नाटक)	--	--
273. डी. ए. हलसमुवरा	गंगावती, जिला-रायचुर कर्नाटक	अधिवक्ता	गंगावती और रायचुर (कर्नाटक)	--	--
274. अजमेरसिंह कोशिक	हिण्डन, जिला-स्वाई माधोपुर (राजस्थान)	अधिवक्ता	हिण्डन, स्वाई माधोपुर (राज.)	--	--
275. मुहम्मद ईकबाल खान	मो. सराय, मुर्तजा खान खर्जा, जिला--बुलन्दशहर	अधिवक्ता	खर्जा तहसील बुलन्दशहर (उ. प्र.)	--	--
276. अनिल कुमार शर्मा	म. न. 373-ए/849, राम नगर, (कृष्णा मण्डी), गाजियाबाद (उ. प्र.)	अधिवक्ता	गाजियाबाद (उत्तर प्रदेश)	--	--
277. कृष्ण लाल मोहर	उप तहसील मलोट, फरीदकोट (पंजाब)	अधिवक्ता	उप तहसील मलोट और रम्बी, फरीदकोट (पंजाब)	--	--
278. मालीराम अग्रवाल	विधानगर का रास्ता महुतजी की हवेली के सामने म. नं. 708, जयपुर	अधिवक्ता	जयपुर (राज.)	--	--
279. के. जी. राजपाल	10 भार. भार. रोड, फोर्ट बगदौर	अधिवक्ता	बंगलौर	--	--
280. टी. एस. नांदीमण	गुरुवरपेट, गोसाक तालुका बेलगाम (कर्नाटक)	अधिवक्ता	गोसाक तालुका बेलगाम (कर्नाटक)	--	--
281. कैलाश प्रकाश	113, बसना गन्धी, नजदीक पुलिस लोकी, गाजियाबाद	अधिवक्ता	गाजियाबाद (उ. प्र.)	--	--
282. हुस्मयन्त मित्तल	एच. क्रिश्चन कालोनी, नजदीक सिविल हस्पताल, जगाधरी (हरियाणा)	अधिवक्ता	जगाधरी (हरियाणा)	--	--
283. एम. पम्पनगोड़ा	गंगावती, जिला-रायचुर, (कर्नाटक)	अधिवक्ता	रायचुर जिला	--	--
284. विक्रम चन्द्र	4727, मो. चौधियान, जगराब, लुधियाना	अधिवक्ता	जगराब, जिला-लुधियाना	--	--
285. नारायण राम	बाड नं. 24, चौधियान, कुमां के पास, फतेहपुर शेखावटी, सोकर (राज.)	अधिवक्ता	फतेहपुर (राज.)	--	--
286. राकेश कुमार बाण्ये	21, तिलक मार्ग, अधिकेश	अधिवक्ता	अधिकेश (उ. प्र.)	--	--
287. राजीव कुमार बाण्ये	रामघाट रोड, विष्णुपुर, अलीगढ़, (उत्तर प्रदेश)	अधिवक्ता	अलीगढ़ (उ. प्र.)	--	--

1	2	3	4	5	6
288. सर्व प्रो रुद्र नारायण झा	इष्क-चक, नोयर वाटर टावर, जिला--भागलपुर	अधिवक्ता	भागलपुर (बिहार) जिला	--	
289. कणि भूषण पाठक	राजपूत मोहल्ला, आरघाट जिला-गिरीडीह (बिहार)	अधिवक्ता	गिरीडीह जिला (बिहार)	--	
290. के. एल. सिंघल	11, रामनगर, न्यू दिल्ली पिन-110 055	अधिवक्ता	केन्द्र शासित प्रदेश दिल्ली	--	
291. दाताराम सिंह	बाया अलीपुर, जिला-मुन्मुनू (राजस्थान)	अधिवक्ता	मुन्मुनू (राजस्थान)		
292. तरुणा मेहता	6047, जमनाबास भवन, अम्बाला छावनी, हरियाणा	अधिवक्ता	अम्बाला छावनी	--	
293. पी. बी. सुगमार	48, न्यू स्टेट बैंक कालोनी, ताम्बरम, मद्रास	अधिवक्ता	ताम्बरम (मद्रास)	--	
294. ए. एन. पाटिल	236, जैन टेरेपल रोड, हिनवाडी, बेलगाम (कर्नाटक)	अधिवक्ता	बेलगाम जिला (कर्नाटक)	--	
295. दलीप कुमार भट्टाचार्य	109, कालीघाट रोड, कलकत्ता-700 026	अधिवक्ता	कालीघाट (कलकत्ता)	--	
296. एकम सिंह	बी. पी. ओ. अलाहौर, त. नवाहौर, जालंधर (पंजाब)	अधिवक्ता	नवाहौर (पंजाब)	--	

[फा. सं. 5(81)/91--न्यायिक]

पी. सी. कानन, सक्षम अधिकारी

New Delhi, the 21st February, 1992

S.O. 793 :—In pursuance of the provisions of Section 6 of the Notaries Act, 1952 (53 of 1952), the Central Government hereby publishes a list of Notaries appointed by it and in practice at the beginning of the year 1992.

Sl. No.	Name of Notary	Residential and professional address	Qualifications	Area in which he is authorised to practice	Remarks
1	2	3	4	5	6
	S/Shri				
1.	Rustam Ardeshir Gagrai	Gagrai & Co., Alli Chamber Nagindas Master Road, Meadows St. Fort, Bombay.	Advocate, Bombay	Whole of India	..
2.	Bhagwati Prasad Khaitan	1-B, Old Post Office St., Calcutta	Attorney at Law, Calcutta High Court	Whole of India	..
3.	Rabindra Krishna Deb	Temple Chambers 6, Old Post Office St., Calcutta.	Attorney at Law, Calcutta High Court	Whole of India	..
4.	Himanshu Prakash Ganguli	4, Issur Dutt Lane, Howrah (West Bengal)	Advocate Calcutta High Court.	Whole of India	..
5.	Sudhir Kumar Dey Mallick	C/o Martin Burn Ltd., 12, Mission Row Extension, Calcutta-1.	Attorney at Law, Calcutta High Court	Whole of India	..
6.	Rash Mohan Chatterjee	C/o M/s Orr. Dignam and Co., Solicitors, 29, Netaji Subhas Road, Calcutta.	Solicitor Calcutta High Court	West Bengal, Assam, Bihar, UP & Punjab	..
7.	Prabhudayal Himatsingka	6, Old Post Office St., Calcutta.	Attorney at Law, Calcutta High Court	Whole of India	..
8.	Victor Elias Moses	6, Old Post Office St., Calcutta.	Attorney at Law, Calcutta High Court	Whole of India	..
9.	Mulk Raj Wadhawan	Advocate Jullundar City, Punjab.	Advocate Punjab High Court	Punjab & U.P.	..
10.	Manoharlal Kapur	3/9, Patel Nagar (East), New Delhi.	Advocate	Union Territory of Delhi	..

1	2	3	4 ...	5	6
	S/Shri				
11.	Harpershad Mehra	No. 3060, Charkhewalan, Delhi.	Advocate Punjab High Court	Union Territory of Delhi	..
12.	Chamanlal Arora	10—New Court Road, Amritsar, Punjab.	Advocate	Whole of India	..
13.	Damodar Devji Damodar	C/o M/s Kanga & Co. Solicitors Readymoney, Mansions, 43, Veer Nariman Road, Bombay.	Solicitor	Maharashtra	..
14.	Deba Prasad Ghosh	C/o Fowler & Co. Solicitors & Advocat & Notaries, Regent House, 12, Govt. Place East Calcutta-69.	Attorney	Whole of India	..
15.	Nathmal Himatsingka	6, Old Post Office St., Calcutta.	Attorney	Whole of India	..
16.	Ramkishan Garg	56, Old Vijay Nagar Colony, Agra (U.P.).	Vakil Agra	Agra District	..
17.	C. H. Pardiwala	C/o M/s Crawford Bayley & Co., State Bank Buildings Bank St., Bombay-1.	Solicitor	Whole of India	..
18.	Sachindra C. Sen	Attorney at Law Temple Chambers, 1st Floor, 6 Old Post Office St., Calcutta.	Attorney	Calcutta	..
19.	D.A. Mehta	Advocate 43B, Hanuman Rd., New Delhi.	Bar at Law	Union Territory of Delhi	..
20.	Durga Prasad Tulsyan	Advocate Jhunjhunu, Rajasthan	Attorney	Jhunjhunu District (Raj).	..
21.	M.G. Doshi	M/s M.G. Doshi & Co., Solicitor 35—Embassy Market, Ahmedabad.	Attorney	Gujarat & Maharashtra	..
22.	Noor Mohammad	Advocate Udaipur, Rajasthan.	Advocate	Udaipur District (Rajasthan).	..
23.	Jitendra Nath Sanyal	C/o M/s Sender Goyal Insurance Bldgs., Netaji Subhash Road, Calcutta-1.	Solicitor	Whole of India	..
24.	P. C. Kurian	14, Kondichatty Street, II Floor, Madras-1.	Advocate	Madras & Kerala	..
25.	C. I. Venkatasubramanian	140-Cross Cut Road, Coimbatore.	Advocate	Coimbatore District	..
26.	Pushkar Lal Juneja	F-1, Sankar Market, Connaught Circus, New Delhi.	Advocate	Whole of India	..
27.	Jagan Nath	Civil Line, Moga District Ferozepur, Punjab.	Advocate	Ferozpur District with Headquarters at Moga also authorised to practise in and through out Faridkot District with Headquarters at Moga.	..
28.	Ranjit Das Singhal	Gurdwara Street, Bhatinda, Punjab.	Advocate	Bhatinda District	..
29.	Bal Krishan	Advocate Hanumangarh Town, District Ganganagar, (Rajasthan).	Advocate	District Ganganagar with Headquarters at Hanumangarh (Rajasthan).	..
30.	G. C. Verma	Advocate-cum-Oath Commissioner, E-12, Green Park, New Delhi.	Advocate	Union Territory of Delhi.	..
31.	P. L. Gandhi	Advocate, Opp : Gandhi Bagh, Surat.	Advocate	Surat District	..

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S/Shri					
32. A. R. Malkani	Advocate, BBZ-N-6, Gandhi Dham (Kutch).	Advocate	Whole of Gujarat	..	
33. N. C. Shah	No. 1, Burdwan Road, 1st Floor Alipore, Calcutta-27.	Advocate Calcutta	Calcutta & N. Delhi	..	
34. T. Dillip Singh	C/o M/s King & Patridge, 2nd Floor, Catholic Centre, Armenian St., Box No. 121, Madras-1.	Advocate Madras	Whole of India	..	
35. J. R. Gagrati	C/o M/s Gagrati & Co. Chambers, Negindas Master Road, Fort, Bombay-1.	Advocate Bombay	Whole of India	..	
36. Brij Mohan Mehta	13A/2, Rajinder Nagar, New Delhi.	Advocate New Delhi	Union Territory of Delhi	..	
37. Surjit Singh Sood	23, Netaji Park Jullundur City (Punjab).	Advocate Jullundur	Jullundur (Punjab)	..	
38. Jagjit Singh Bains	376, L. Model Town, Jullundur City (Punjab).	Advocate Jullundur	Jullundur (Punjab).	..	
39. K. J. Khambata	Rajab Mahal 144, Queens Road, Bombay-20.	Advocate Bombay	Whole of India	..	
40. Ambelal Bhavbhaji Patel	Vaidya St., P. O. Navasari, Distt. Pulsur (Gujarat)	Advocate	Gujarat	..	
41. Punamchand Somachand Shah	35--Embassy Market, Near Dinesh Hall Ashram Road, Ahmedabad.	Advocate	Gujarat	..	
42. H. M. Bhagat	C/o Ambhubhai & Diwanji, Industries House, Ashram Road, Ahmedabad-9.	Advocate & Solicitors	Gujarat	..	
43. H. V. Chatrapati	C/o M/s Bhai Shankar Kanga Girdhari Lal Manakjiwadia Bldgs., Bell Lane, Fort, Bombay-1 and C/o M/s Bhai Shankar Kanga & Girdhari Lal, Gujarat Samachar Bhavan, Khanpur, Ahmedabad.	Advocate & Solicitor	Whole of Gujarat	..	
44. G. S. Vyas	35, Lavanyangar Jivaraj Park Road, Ellis Bridge, Ahmedabad-7.	Advocate	City of Ahmedabad	..	
45. Amar Singh	Jamiat Singh Road, Moga, District, Faridkot, (Punjab).	Advocate	Moga District Faridkot of (Punjab)	..	
46. B. H. Antia	C/o M/s Mulla & Griagme Plunt & Caroras, Solicitors & Notaries, Jehangir Wadie Bldgs., 51, Mahatma Gandhi Road, Bombay-1.	Attorney & Advocate	Whole of India	..	
47. B. P. Shukla	Rugnath Building Town Hall, Rajkot, (Gujarat).	Advocate	Rajkot & Junagadh District	..	
48. B. K. Shah	Mansukh Niwas, Natri Chahipwad, Baroda-6.	Advocate	Baroda	..	
49. Ramesh J. Mehta	Nadiad District Kaira, Gujarat.	Advocate	Kaira Panchmal District.	..	
50. Vasant Lal D. Mehta	C/o Malvi Rancho Das & Co., Solicitors & Advocate, Yusuf Bldgs., Mahatma Gandhi Road, Fort, Bombay-1.	Solicitor	Maharashtra	..	
51. Mohinder Singh	274, Saidan Gate, Jullundur.	Pleader	Jullundur	..	

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	S/Shri				
52.	Rajendra Kumar Bhatt	S-401, Greater Kailash, New Delhi-48.	Advocate	Union Territory of Delhi.	..
53.	Narain Prasad Goyal	E-165, Narain Vihar, New Delhi-20.	Advocate	Union Territory of Delhi.	..
54.	H. Hassan Koya	Chalappayaram Calicut, Kerala.	Advocate	Calicut & Malappuram District.	..
55.	Salil Kumar Ganguli	50, Ramtanu Bose Lane, Calcutta-6.	Attorney at Law & Advocate	Calcutta.	..
56.	Palav Kumar Benerjee	M/s T. Banerjee & Co., Solicitors & Advocates, 'Temple Chamber' No. 6, Old Post Office St., Calcutta.	Solicitor & Advocate	Calcutta	..
57.	M. Y. S. Menon	M/s Majumdar & Co., Ismail Building, 381, Dr. D. N. Road, (Floor Fountain), Bombay.	Solicitor & Advocates	Greater Bombay	..
58.	Brij Bhushan Gupta	Kalal Majri Ambala City.	Advocate	Ambala City	..
59.	Raghubir Singh Khullar	Chirwa Tehsil Rajasthan.	Advocate	Chirwa Tehsil	..
60.	Salematri Gurbony	202, Kanwar Nagar, Rajamal-ka-Talab, Jaipur.	Advocate	Jaipur	..
61.	Nand Kishore Pareek	321, Nahargarh Gopal Halwaiki Gall, Jaipur.	Advocate	Jaipur	..
62.	Akbilleshwar Das Badgal	Sharma Restaurant Johari Bazar, Jaipur.	Advocate	Jaipur	..
63.	D. R. Zailwalla	M/s. D. R. Zail & Co., Solicitors, 'Readymoney' Mansion, 43, Veer Nariman Road, Fort, Bombay.	Solicitor & Advocate	Whole of India	..
64.	Anthony Da Costa	M/s Da Costa & Da Costa Advocates & Tax Consultants, 21/12, G. M. G. Road, 1st Floor, Bangalore-1.	Advocate	Whole of India	..
65.	Mrs. Sumati Arawind Patil	236, Jain Temple Road, Gomesh Nagar, Hindwadi, Belgaum, Karnataka.	Advocate	Whole of India	..
66.	T. M. Sen	M/s Khaitan & Co., Solicitors & Advocates, Himalay House, 7th Floor, 23, Kasturba Gandhi Marg, New Delhi.	Advocate at Law	Whole of India	..
67.	Mrs. N. Anasooya Bai	4624/1, Shivaji Road, N. R. Mohalla, Mysore-7.	Advocate	Mysore City	..
68.	Padmanath Gangadhar Gokhale	A-36, Defence Colony, New Delhi.	Advocate	Whole of India	..
69.	Ram Naresh Lal Gupta	'Bihari Dham' C-2B/70, Teliya Bagh, Varanasi Cant, (U.P.).	Advocate	Varanasi (U.P.)	..
70.	Samoon Asgarali Poonawala	12-Ismail Bldg., 381-Dr. Dadabhoy Noroji Road, Fort, Bombay-1.	Advocate	State of Maharashtra	..

1	2	3	4	5	6
S/Shri					
71. Awadesh Kumar Verma	C/o Sh. Raghoram Verma , Advocate Civil Court, Varanasi (U.P.).	Advocate		Varanasi (U.P.)	..
72. Gulam Tahir	D-50/29, J Oazipura, Kalan, Varanasi (U.P.).	Advocate		Varanasi (U.P.)	..
73. Kishori Lal Kapoor	516, Church Gate Chambers, 5th Floor, 5—New Marine Lanes, Bombay-20.	Advocate		State of Maharashtra	..
74. T. K. Shanmuganandam	8/8, Hauzur Road, Coimbatore-18.	Advocate		Coimbatore	..
75. Ramendra Kumar Roy	37, South Kumar Para Lane, Calcutta-42.	Advocate		Calcutta & 24-Parganas	..
76. Raghubir Sahai Hitkari	Civil Courts, Kanpur.	Advocate		Kanpur & Delhi	..
77. Om Prakash Jain	A-5-B/126-B, Janakpuri, New Delhi-58.	Advocate		Delhi	..
78. Bimal Kumar Banerjee	3, Bankshall St. Calcutta- 70001.	Advocate		Calcutta & 24-Parganas	..
79. Padmasi Danji Khona	45, Tamarind St., Fort, Bombay-23.	Advocate		Greater Bombay	..
80. M. A. Banatwala	M/s Banatwala & Co., Advocate & Solicitor & Notary, 24-A, Biry House, 265, Perian Nariman Street, Fort, Bombay-1.	Advocate		Whole of India	..
81. Leo Benedict Velho	Costa Pereira Bldg., 11nd Floor Maroga Salecte, Goa.	Advocate		Whole of Goa	..
82. Miss Jaswant Kaur	H-21, Kailash Colony, New Delhi.	Advocate		Union Territory of Delhi	..
83. Eruch Jalagur Balsara	M/s Payane & Co., Esplanade House, Wodey Road, Fort, Bombay-1.	Advocate		Whole of India	..
84. Bertram' D Silva Shenoi	92, "Satman" Cuffee Parade, Bombay-400005.	Advocate		Whole of State of Maharashtra	..
85. Rameshwar Dayal Gupta	88, C. Shastri Nagar, Jodhpur (Rajasthan).	Advocate		Jodhpur District	..
86. Dhul Chand	Muktsar Distt. Faridkot, Punjab.	Advocate		Union Territory of Changarh	..
87. Ram Rattan Lekh	ES-553, Mohila Awedoura, Jullundur City.	Advocate		Jullundur City	..
88. M. I. Sethna	Fazalbhoi Bldg., 2nd Floor, 45/57, M. G. Road, Fort, Bombay-1.	Advocate		Walkeshwar and Fort area of Bombay	..
89. Durga Shankar Dave	Oswalwara Rajasthan Banswara-327001.	Advocate		Banswara District (Rajasthan)	..
90. Murlidhar Rao	Maktanpura, Gulbarga, Karnataka.	Advocate		District & City of Gulbarga	..
91. Bhagwati Prasad Bhatt	11-Gyan Marg, Udaipur, Rajasthan.	Advocate		Udaipur	..
92. Janaklal Aggarwal	9, Balenville Road, Darjeeling.	Advocate		Darjeeling	..

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S/Shri					
93. K. C. Sidhwa	Branch Sectt., Bombay, Aayakar Bhavan Annexe, New Marine Lines, Bombay-400020.	Central Government Advocate, Advocate & Solicitor.	Whole of India	..	
94. Suraj Kumar Bhaskar	Khetri District Jhunjhunu, Rajasthan.	Advocate	Khetri Rajasthan	..	
95. Devi Sarar Chopra	B-3, Two Roses Pali Road, Bombay.	Advocate	City of Bombay	..	
96. Miss Manjula Sen	33, Venus Cuffe Parade, Bombay.	Advocate & Solicitor	Whole of India	..	
97. Debabrata Basu	7, Devanarain Das Lane, Shyam Bazar, Calcutta.	Advocate	24 Parganas with H.O. at Sealdha.	..	
98. A. Syed Ali	53, Armenian St., Madras.	Advocate	Whole of India	..	
99. G. C. Verma	Civil Courts, Jagadhri District Ambala (Haryana).	Advocate	Jagadhri	..	
100. Gajendra Nath Chakaborty	9, Old Post Office Street, Calcutta.	Advocate	Calcutta	..	
101. Aditikumar Pramanick	10, Old Post Office Street, R. No. 110, Calcutta.	Advocate	State of West Bengal.	..	
102. Indra Chand Sanoheti	12, Old Post Office Street, R. No. 110, Calcutta.	Advocate	Calcutta	..	
103. L. Mahalingappa	938/II, Indira Nagar, Mysore, Karnatka.	Advocate	Mysore City	..	
104. K. Garudachar	'Sudershana' Someshwarapuram Tumkur, Karnataka.	Advocate	District & City of Tumkur, Karnataka.	..	
105. Trilok Chand Singhal	Dal Bazar, Gwalior (M.P.).		Gwalior (M.P.).	..	
106. Tribhuwan Agarwal	P. O. Hanumangarh Town District Sriganganagar, (Rajasthan).	Advocate	Throughout the Town of Hanumangarh, (Rajasthan)	..	
107. B. S. Chandrasekhar	2694, Agrahara St., Hassan Post Office, Karnataka-573 201.	Pleader	Hassan City of Karnataka	..	
108. Jagram Singh	Pili Kothi Station Road, Rajasthan.	Advocate	District Jhunjhunu	..	
109. S. N. S. C. Javeria	Javeria Niwas Mochiwara, Udaipur.	Advocate	Udaipur Rajasthan	..	
110. M. C. Jain	Sh. Parshwanath Jain Colony, Subhash Bagh, Ajmer, (Rajasthan).	Advocate	Ajmer Rajasthan	..	
111. Ram Babu Srivastava	Advocate, Jail Road, Sitapur (U.P.).	Advocate	Sitapur District	..	
112. K. Balakrishna	No. 4, 3rd Cross Road, 4th Block, KPW Extension, Bangalore-20.	Advocate	Bangalore	..	
113. Brij Mohan Misra	15, Sadar Bazar Jhansi, (U.P.).	Advocate	Jhansi (U.P.).	..	
114. Smt. Prem Lata Nigam	Sunder Bhawan Naibasti, Sitapur-261001 (U.P.).	Advocate	Sitapur (U.P.)	..	
115. Surjit Singh Mehta	181, Vishwakarma Nagar, Yamunanagar, District, Ambala, (Haryana).	Advocate	Jagadhari	..	

1	2	3	4	5	6
	S/Shri				
116.	Chander Kumar Mehta	212-D, Model Town, Yamunanagar, (Haryana).	Advocate	Yamunanagar	—
117.	Jagdish Chandra Ghosh	19, Sarat Bose Road, (Hakimpura), Siliguri-734 401, Distt. Darjeeling, West Bengal.	Advocate,	District Darjeeling with his HQ at Siliguri.	—
118.	Amarendra Nath Dawn	Temple Chamber, (First Floor), 6, Old Post Office Street, Calcutta-1.	Advocate	Calcutta	—
119.	Raja Ram Basu Ray	9, Old Post Office Street, Calcutta-1.	Advocate and Solicitors	State of West Bengal	—
120.	Vinod Kant Verma	134 E/I, Mayur, Vihar, Delhi-110 091.	Advocate	Delhi.	—
121.	Nand Lal Choudhry	J-4/15, Rajouri Garden, New Delhi-27.	Advocate	Union Territory of Delhi.	—
122.	Davendra Nath Mishra	328, Guru Ramdas Nagar (Laxmi Nagar), Delhi-92.	Advocate	New Delhi.	—
123.	Man Mohan Singh Sethi	D-83, Ashok Vihar-I, New Delhi-110 052.	Advocate	Union Territory of Delhi.	—
124.	Jagdish Lal Batra	572, Jheel Kuranja, Delhi-110 031.	Advocate	Delhi	—
125.	Rajvir Singh	D-55/3, Main Road, North Ghonda Delhi-53.	Advocate	Delhi with HQ at Shahdara	—
126.	Dhirendra H. Shah	Flat No. 16, 4th Floor, Marina House Opp. Liberty Cinema, 5, Srivithaldas Thakersey Marg, Bombay-20. Office : 33, R.S. Sapre Marg, (Picket Road), Near Small Cause Courts, Kalbadevi, Bombay-2.	Advocate	Whole of India	—
127.	B.S. Narasimhan	G/o King and Patridge, 26/1, Lavelle Road, Bangalore-1.	Attorney Advocate at Law	State of Karnataka	—
128.	S.K. Shetty	1, Parkash, Flat 8, First Floor, Besant Street, Santacruz (West), Bombay-400 054.	Advocate	Santacruz & Fort area of Greater Bombay.	—
129.	Markand C. Gandhi	C/o Markant Gandhi & Co., Advocates & Solicitors, 2nd Floor, Bhaggadaya, 79. Meadows Street, Bagindas Master Road, Fort Bombay-23.	Advocate	Greater Bombay	—

1	2	3	5	6
	S/Shri			
130.	Pratap Ray Duttalaha Gandhi.	Wadia Bldg., 3rd Floor, 17—19, Dalal Street, Fort, Bombay-23.	Advocate	State of Maharashtra, Gujarat, Karnatka, Andhra Pradesh, U.T. of Goa & Delhi. —
131.	Shiv Kumar Khanna	11, M.G. Road, Calcutta.	Advocate	Union of India. —
132.	Sukumar Ghosh	'Kanakalay' 7A, Prince Anwar, Shah Lane, (CIT Water Tank, Opp. Navina Cinema), Calcutta-700 003.	Advocate	24 Parganas —
133.	Nand Gopal Khaitan	C/o Khaitan & Co., 1, Old Post Office Street, Calcutta-1.	Advocate	Calcutta & N. Delhi. —
134.	Pratosh Kumar Sen	8/2, K.S. Ray, R.N. 16, (First Floor), Calcutta-700 001.	Advocate	Calcutta & 24 Parganas —
135.	Krishna Nand Mishra	109/6, Hazra Road, Calcutta-26.	Advocate	24 Parganas —
136.	Trilohi Sharan Upadhyay	178, Western Wing, Tis Hazari Courts, Delhi-54.	Advocate	Noida Complex, (Ghaziabad Distt. U.P.) —
137.	Shettar Sangameshwar	H. No. 338, 12th Main Road, 6th Block, Rajaji Nagar, Bagalore-560 010.	Advocate	Raichur & Bangalore —
138.	B.S. Chougule	3543/A, Risoldar Galli, Belgaum-590 002.	Advocate	Belgaum —
139.	Sundaram Ramasubramanian	C/o M/s. King & Patridge, 2nd Floor, Catholic Centre, 64, Armenian Street, P.B. No. 121, Madras-1.	Advocate	Tamilnadu —
140.	Ram Nairanjan Jhunjhunwala	8/2, Mandeville Gardens Calcutta-700 019	Advocate	Whole of India —
141.	Deb Kumar Sinha	18, Ritchie Road, Calcutta-700 019.	Advocate	West Bengal. —
142.	K.V. Sheshadri	1208, Ashoha Nagar Mahila Samaj Road, Mandya-571 401. Karnataka	Advocate	Mandya City —
143.	Virendra Singh Badhwar	32-B, Manu Marg Alwar, Rajashtan.	Advocate	Alwar —
144.	Rishikesh Aggrawal	Near Malik Hospital, Palasmand Road, Hissar.	Advocate	Hissar —
145.	Ram Krishan Satya	2 Kh., 6 Pratap Nagar, Alwar, Rajashtan.	Advocate	Advocate Alwar

1	2	3	4	5	6
	S/Shri				
146.	R.V. Bhokarc	1284, Kasba Peth, Punc-411 011.	Advocate	Punc	—
147.	Chandrakant Mohan Lal Chhajed	52, Bopadi, Punc.	Advocate	Whole of India	—
148.	Jagdish Prasao Mathur	Plot No. C-248, Dayanand Marg, Tilak Nagar, Jaipur, (Rajasthan)	Advocate	Jaipur	—
149.	Banwari Lal Gupta	14, Scheme No. 1 Alwar, (Rajasthan).	Advocate	Alwar	—
150.	B.S. Shaikh	B-43, H.A. Colony, Pimpri, Punc-411 018.	Advocate	Punc	—
151.	Smt. Jayshree Vijayrao Mohite	'Tarangam', 23, Bhosale Nagar, Punc-411 007.	Advocate	Punc	—
152.	Hanuman Singh Beniwal	C/o M/s. Amar Singh, Ram Swaroop, Timber Merchants, P.O. Bhandra, Distt. Shri Ganganagar, Rajasthan-335 051.	Advocate	Nahar	—
153.	Radhayashyam Jindal	P. No. 44, Road No. 5, Ashoka Nagar, Udaipur, Rajasthan-313 001.	Advocate	Udaipur	—
154.	Ramesh Chandra Pati Lal Shah	5, Ajantha Commercial Centre IInd Floor Ashram Road, Ahmedabad-380 014.	Advocate	Ahmedabad	—
155.	M.N. Deshmukh	Deshmukhwadi, P.K. Road, Mulund, Bombay-400080.	Advocate	Mulund West	—
156.	Vinod J. Paymaster	151, Buena Vista, Gen. J. Bhosale Marg, Bombay-400 021.	Solicitor	Greater Bombay	—
157.	Kum. Kiranmayi Harshadray Mehta	Kiran Mahal Fategunj, Baroda-390 002.	Advocate	Fategunj (Baroda)	—
158.	Mahendra Vyas	Aradhana Palace Road, Baroda-390 001.	Advocate	Baroda	—
159.	S.Y. Rege	State Bank Bldg., N.G.N. Vaidya Marg, Bombay-23.	Advocate	Bombay	—
160.	Visanji R. Bheda	DBZ-5-51, Gandhidham, Kachchh-370 201.	Advocate	Kuchch	—
161.	Amal Krishna Dutt	Temple Chambers 1st Floor, R. No. 39, Old Post Office Street Calcutta-700 001.	Advocate & Solicitors	Calcutta	—

1	2	3	4	5	6
S/Shri					
162. A.N. Ganguli	1— Old Post Office Street, Pyne & Pyne, 1st Floor, R. No. 7, Calcutta-700 001.	Advocate	Calcutta		—
163. Shanker Prasad Varma	Moh-Damuchak Muzaffarpur, Bihar.	Advocate	Muzaffarpur		—
164. Prabha Kant Chaudhary	Balbhadrapur, P.O. Laheria Sarai Bihar-846 001.	Advocate	Darbhanga		—
165. Raj Kumar Khattary	118, Mahatma Gandhi Road, Calcutta-7.	Advocate	Calcutta		—
166. Narayan Chandra De	128/C, Narkel Danga Rly. Colony Calcutta.	Advocate	Calcutta		—
167. Pandit Rao Mahagaonkar	H. No. 1-14/3, Near Dr. Mantharhar's Eye Hospital, Station Court Road, Gulbarga-585102.	Advocate	Gulbarga		—
168. Kewal Krishan Sharma	Muktesar, Distt. Faridkot Punjab.	Advocate	Muktesar		—
169. Amrit Lal Bajaj	E-G-O 33 Gobind Garh, Jalandhar City, Punjab	Advocate	Jalandhar		—
170. Abdul Hafiz Khan	Virajpet South Kodagu Karnataka, Pin -571 218.	Advocate	Kodagu		—
171. Sodhi Ramnik Singh	Moh-Pandia Distt. Ferozpur Punjab-147 047.	Advocate	Zira		—
172. Mrs. Primla	C/o Shri D.C. Khanna Advocate, Jauri Bhattian Road, Patiala, Punjab.	Advocate	Patiala		—
173. Ramesh Abaji Wagholikar	415, Shanwar Peth, Pune-411 030.	Advocate	Whole of India		—
174. Pratap D. Gandhi	7— B, Kakad Niketan, Derasar Lane, Ghat Kopar, Bombay-77.	Advocate	State of Maharashtra, Gujarat, Karnataka, Andhra Pradesh, Goa & U.T. of Delhi.		—
175. Mahendra K. Ghelani	101— A, Paradise Apartment, 44-A L. Jagmohan Marg, Bombay-36.	Advocate	Whole of India		—
176. B. Mohan Krishna	2/4, Arundelpet Guntur-2 (A.P.).	Advocate.	Guntur District		—
177. Mrs. Jyothi Dharmadhikari	85, Canel Road, Ramdas Road, Nagpur-440 010.	Advocate	Nagpur		—
178. N. Raja	'Zaver Vihar' 2/18, K.A. Subramaniam Road, Matunga, Bombay-400 019.	Advocate	Greater Bombay		—

1	2	3	4	5	6
	S/Shri				
179.	Parmatma Saran Pandeya	Old 262/New 10/12/104, Siva Rasik Bhavan, Moh-Rajhot City, P.O. Ayodhya, Distt. Faizabad., (U.P.).	Advocate	Faizabad (U.P.).	---
180.	Ramesh P Makhija	14-B, Sunder Mahal, 1st Floor 141, Marine Drive, Bombay-400 020.	Advocate	Whole of India	---
181.	B. Seshagiri Rao	Opp. Naaz Theatre, Chirala, (A.P.) Pin : 523 155.	Advocate	Prakesam District	---
182.	N.B. Agrawal	489/3, Old Bazar, Kirkce, Pune-411 003.	Advocate	Kirkce Pune	---
183.	Miss, Subecita I. Shah	PWD Building. Ground Floor Opp. C TO Bombay-400032	Advocate	Greater Bombay	---
184.	Mohinder Pal Singh	5123, Mohalla Telian, Near Subhas Gate, Jagraon-142 026 Distt Ludhiana	Advocate	Jagraon Teshil	---
185.	G.D. Dahiya	1/12, Roop Nagar, Delhi	Advocate,	Delhi	---
186.	Parminder Singh Uppal	G-165, Naraina Vihar, New Delhi-110 028	Advocate	U T. of Delhi or any part thereof	---
187.	Pratap Singh Bhardwaj	R/o Cill, P O Bijwasan, New Delhi-61	Advocate	West Delhi	---
188.	G.S. Abrol	Flat No 380, WZ-152, Mandiwali Gali, Chand Nagar, New Delhi-110 018	Advocate	Rajinder Nagar	---
189.	Satya Pal	C-2/92, B. MIG Flat, Lawrence Road, Delhi.	Advocate	U.T. of Delhi	---
190.	Mrs. Nirmal Singh Nayyar	C- 78 Necti Bagh New Delhi-110 049	Advocate	New Delhi.	---
191.	Rameshwar Dutt	6/5771, New Chandrawal, Jawhar Nagar, Delhi-110 007.	Advocate	U.T. of Delhi.	---
192.	Janeshwar Das Jain	C-4/145, Safdarjung Development Area, Opp. Hauz Khas, New Delhi-110 016.	Advocate	Hauz Khas Area, Safdarjung Development Area, Niti Bagh Gulamohar Park, Vasant Vihar Panchsheel & Supreme Court of India.	---
193.	Suresh Kumar Agarwal	4312, Gali, Bahuji Bahadurgarh Road, Delhi-110-006	Advocate	U.T. of Delhi and Bombay	---

1	2	3	4	5	6
	S/Shri				
194.	Iqbal Singh	Rai Singh Nagar, Distt. Shri Ganganagar, Rajasthan.	Advocate	Rai Singh Nagar	—
195.	G.L. Nanda	Vishnu Kripa, Kundan Nagar, Ajmer, Rajasthan-305 001.	Advocate	Ajmer	—
196.	Sher Singh Kulhar	Station Road, Chirawa, (Jhunjhunu), Rajasthan-333 024.	Advocate	Chirawa	—
197.	Syed Aijaz Ahmed Naqvi	302, Sharma Buildings, Ramganj, Anaj Mandi, Jaipur-302 003.	Advocate	Rajasthan	—
198.	Kailash Chandra Sogani	21, Parshwanath Colony, Ajmer.	Advocate	Ajmer	—
199.	Vikramjit Singh Vishnoi	Shital Bhawan, Near Sadul Sports, School, Gajner Road, Bikaner-334 001.	Advocate	Bikaner	—
200.	Karan Singh Kothari	432, Bhupalpura, Udaipur, Rajasthan-313 001.	Advocate	Udaipur	—
201.	Anand Behari Lal	32, Mount Road, Jagdish Colony, Opp. Ramgarh Town, Jaipur-302 002.	Advocate	Jaipur	—
202.	S.L. Agarwalla	Mahatma Gandhi Road, Siliguri, West Bengal.	Advocate	Sub-Division of Siliguri, Darjeeling District.	—
203.	Nek Singh	Hanumangarh, Jun. Distt., Sriganganagar, Rajasthan.	Advocate	Hanumangarh	—
204.	Anil Kumar Sharma	1/1B, Roy Lane, Calcutta.	Advocate	Burrabazar-Jorasanko & Jorabagan areas of Calcutta.	—
205.	Ramesh Chandra Agrawal	Near Nahargarh Road, 430, Chandpole Bazar, Jaipur-1.	Advocate	Jaipur	—
206.	Dilip Kumar Majumdar	44, Milam Palli Deshpatriya Nagar, Calcutta-56.	Advocate	In Seeldah & City Civil Courts, Calcutta.	—
207.	Shankarlal Gahlot	Gangashahr Road, Bikaner-334 001.	Advocate	Bikaner	—
208.	Naresh Chand Mittal	57, Devi Bhawan Bazar, Jagadhri-135 003 (Haryana).	Advocate	Chhachhrauli, (Haryana)	—
209.	Surinder Pal Sharma	134/15, Railway Road, Kaithal, (Haryana).	Advocate	Kaithal (Haryana).	—
210.	Nihal Ahmad Siddiqui	H. No. 53, Behind State Bank of India, Chhatarpur (M.P.)-471 001.	Advocate	Chhatarpur, (M.P.)	—
211.	Smt. K. Radhumani Amma	"Radhika" Amullia Street, Near Madhava Pharmacy Jn. Cochin-682 018.	Advocate	Ernakulam	—

1	2	3	4	5	6
212.	Jariwala Asgharali Abdulhasain	Off: 44A, Nesbit Road, Mazagaon, Bombay-400 010.	Advocate	State of Maharashtra.	—
213.	Arjan Naryan Khurpe	680, Jaboot St. Pune-1.	Advocate	Pune	—
214.	Promode J. Dalal	Deveraj, E-3/3, S.V. Road (West), Bombay-400 062.	Advocate	State of Maharashtra	—
215.	Miss Shobha Vdhavdas Chhabria	S.V. Chhabria & Co., Pantaky House, 2nd Floor, Maruti Cross Lane, Near Handloom House, Fort, Bombay-1.	Advocate	Bombay	—
216.	Vinayak Ramchandra Vaze	1204/11, Vivek Ghole Road, Poona-411 004.	Advocate	Pune City	—
217.	Kazi Dadasahab Husainasahdi	'Aman' Gitanar Colony, Hindwadi, Belgaum 590001. Karnataka.	Advocate	Belgaum District	—
218.	S.A. Bholwal	Off : 218/220 Vardhaman Chambers, 11th Floor, Cowasji Patel Street, Fort, Bombay-1. Res : E-3/O I Sector/1 Washi, New Bombay-400 703.	Advocate	Whole of India	—
219.	Gurnam Singh	Civil Courts Near B.D.O. Office, Jagadhari, (Haryana).	Advocate	Jagadhari Ambala Cantt.	—
220.	M.C. Chaturvedi	78, Lohar Bagh, Sitapur (U.P.).	Advocate	Sitapur	—
221.	H.S. Renuka Prasad	64, 1st Main Road, Lower Palace Orchards, Bangalore.	Advocate	Bangalore City and Rural District.	—
222.	Lt. Col. Charanjit Singh (Retd.)	118, New Jawahar Nagar, Jalandhar City (Punjab).	Advocate	Jalandhar Punjab State	—
223.	Ram Chandra Shankar Purandare	815, Raviwar Peth, Pune, Maharashtra.	Advocate	Throughout Pune.	—
224.	Navnitrai H. Boghani	43/1304 Adarsh Nagar, Worli, Bombay.	Advocate	Bombay	—
225.	Remeshwar Das Ahluwalia	7791/4 Nadi Mohall, Ambala City Haryana.	Advocate	Ambala City, (Haryana)	—
226.	Suresh Kumar Sharma	Via G.P.O. Pusana Teh. Budhana Distt. Muzaffarnagar (UP).	Advocate	Budhana Muzaffar Nagar (U.P.)	—

1	2	3	4	5	6
	S/Shri				
227.	Raghubir Singh	Vill & P.O. Behror, Distt. Alwar (Rajasthan).	Advocate	Behro' Distt. Alwar (Rajasthan).	—
228.	Hari Dutt Sharma	15, Govind Nagar Saket Colony, Shahganj, Agra (U.P.).	Advocate	Agra (U.P.).	—
229.	Ram Prashad Nayar	NC-24/27 Old Railway Road Jalandhar, Punjab.	Advocate	Jalandhar, Punjab	
230.	Shiv Charan Singh	Alalband Distt, Bharatpur, Rajasthan.	Advocate	Bharatpur (Rajasthan)	—
231.	Inder Paul Bansal	566, Sadar Bazar, Muktsar, Punjab.	Advocate	Muktsar, Punjab.	
232.	Man Singh Naraka	Kishangarh Fort Vill. & PO Kishangarh Bass, Distt. Alwar (Rajasthan).	Advocate	Kishangarh Bass-Distt. Alwar (Rajasthan).	—
233.	Rajwant Rai Wadhawan	R/o 72/3, Preet Nagar Ladewali Road, Jalandhar.	Advocate	Jalandhar, Punjab.	—
234.	S.R. Khurana	H. No. 229, P.O. Dakoha, Jalandhar, Punjab.	Advocate	Jalandhar, Punjab.	—
235.	N.R. Basantani	11-W (Mahesh Bharam), Near State Bank of Juhi, Gaushalla, Kanpur (UP).	Advocate	Kanpur, U.P.	—
236.	M.P. Mishra	Bansi P.O. Jansoki Marai Distt. Varanasi (UP).	Advocate	Varanasi (U.P.)	—
237.	J.K. Jagiasi	Aradhana-C-Fat No. 504, 5th Floor, Near Bombay Dyeing Spring Mills, G.D. Ambedkar Road Bhoiwala Dadar, Bombay-14.	Advocate	Bombay	—
238.	Madanlal Agarwala	Keranitora Post & Distt. Midnapore. West Bengal.	Advocate	Midnapore Distt. Town West Bengal.	—
239.	Syama Prasad Sen	17, Harisava Road, Barrackpore Anandpuri Distt. North, 24 Parganas West Bengal.	Advocate	Alipor Civil Court, Calcutta.	
240.	Te Chand Kaushik	R/o 191 Sector-4-R-Faridabad Haryana.	Advocate	Faridabad District.	—
241.	Nath Mal Sharma	R/O 3875, K.G.B. ka-Rasta, Johari Bazar, Jaipur, Rajasthan	Advocate	Jaipur, Rajasthan	—
242.	K.N. Valikarimwal	R/o Saifce Society Near Shardaben Hospital, Sarasur, Ahmedabad, Gujarat	Advocate	Ahmedabad, Gujarat State.	—

2	3	4	5	6
S/Shri				
243. Vasant J. Desai	R/o 5, Bharat Colony, Stadium Road, Ahmedabad-9	Advocate	Gujarat State.	
244. Jawahar Lal Bansilal Dugad	Near Nigdi Bus Stop Nigdi, Pune-44.	Advocate	Poona & Pimpri, Chinchwad Maharashtra.	—
245. Om Prakash Gupta	R/o Warrenganj Sipri Bazar, Jhansi (U.P.)	Advocate	Jhansi	
246. Ahmed K. Hirani	Ismail Bldgs. 381 Dr. D.N. Road Flor Fountain, Bombay.	Advocate	Greater Bombay	—
247. Uday N. Ghosh	Hudson Housing Estate, 95, Bidhan Nagar Road Block No. 13 Flat No. 171-1st Floor, Calcutta-54.	Advocate	24 Parganas, West Bengal.	
248. Jayanta Sengupta	61 Ballygunj Place Calcutta.	Advocate	Park Circus-Chowringhee Park Street Calcutta.	—
249. Sadhan S. Roy	51-B, Rash Behari Avenue Calcutta-28.	Advocate	Southern Calcutta	—
250. Sanjeev Kanchan	4, Milan Bldgs. 189/93 Bazar Gate Street Periman Nariman Street Fort Bombay	Advocate	Perian Nariman Street Fort, Bombay	—
251. Smt. Ratan Nagori	166, Bapji Bazar Udaipur, Rajasthan.	Advocate	Udaipur, Rajasthan	—
252. Ved Prakash Nahar	106-B, Pocket IV, Mayapuri Vihar, Delhi-110091.	Advocate	Mayapuri Vihar, Delhi-91.	—
253. Miss Veena Bakshi	H.No. 250, Ward No. 2, Mehrauli, New Delhi	Advocate	Delhi Distt. Courts, Delhi	—
254. N.R.S. Iyer	10, Omar Manzil Kalina Churach, Bombay-29.	Advocate	Greater Bombay	—
255. Pratap Singh Dahiya	Rohtak Road Near Suri Petrol Pump Sonapat (Haryana)	Advocate	Sonapat (Haryana)	—
256. C. Shivabasappa	Kalyan Bhavan, Thyagaraja Road Mysore (Karnataka)	Advocate	Mysore (Karnataka)	—
257. Rajendra Singh	18, D Block, Sri Ganganagar (Raj).	Advocate	Sriganganagar (Rajasthan)	—
258. Ashok Kumar Basu	Kallol Club Bldg. Raja Ram Mohan Roy Road, Hakim Pura, Siliguri (W.B.)	Advocate	Siliguri (West Bengal)	—
259. Vaidya Dhar Bhargava	AMC No. 2/282 Ram Bhavan, Shyam Gali, Hathi-Bahata, Ajmer	Advocate	Ajmer (Rajasthan)	—
260. Vinod Kumar Mahlavat	PO Danta Ramgarh, Distt. Sikar (Raj)	Advocate	Danta Ramgarh Distt. Sikar (Raj)	—
261. Ram Sarup Mehta	Mandi Dabwali Sirsa (Haryana)	Advocate	Dabwali Sirsa (Haryana)	—
262. V.K. Aggarwal	443 Cloth Market Vishni Bazar, Delhi.	Advocate	Delhi.	—

1	2	3	4	5
263.	Mrs. Manju Bhatnagar	2-A, H.P.L. Staff Colony, New Delhi.	Advocate	Delhi
264.	Allarkh M. Shaikh	Plot No. 476/2/ Sector, 29, Gandhinagar (Guj.)	Advocate	Gandhinagar Mehshana Ahmedabad
265.	C.H. Acharya	Fine Mansion, 3rd Floor, 203, L.N. Road, Fort, Bombay-23.	Advocate	Greater Bombay
266.	Faiyazuddin	4-1-70, Ashoka Road, Raichur-584 101 (Karnataka)	Advocate	Raichur Karnataka
267.	Gurdev Singh Sur	7A/11, W.E.A. Karol Bagh, New Delhi.	Advocate	Delhi
268.	Bhim Singh Indora	RZ-36, Palam Enclave, New Delhi -45.	Advocate	Delhi
269.	Satpal Singh Sodhi	8, Sehdev Market, Opp. P&T Colony, Jallundhar	Advocate	Jallundhar (Punjab)
270.	Paresh Kumar Nagoi	C/o R.C. Purohit, Dev Office, LIC, 31 Adarsh Colony, Nimbahera (Raj.)	Advocate	Nimbahera (Rajasthan)
271.	Dalbir Singh Punia	H No. 313 (1)/74, Adarsh Nagar, Kaithal (Haryana)	Advocate	Kaithal (Haryana)
272.	N. Koteswar Rao	Sindhonur, Raichur Distt. (Karnataka)	Advocate	Sindhonur Raichur, Distt. Karnataka.
273.	D.A. Halasmudra	Gangawati, Raichur, Distt. Karnataka	Advocate	Throughout Gangawati & Raichur Distt.
274.	Ajmer Singh Kaushik	P.O. Hindan, Distt. Swai Madhopur (Raj.)	Advocate	Hindan, Swai Madhopur (Raj.)
275.	Mohd. Iqbal Khan	Mohalla Sarai, Muztaza Khan, Khurja, Distt. Bulandshaha (U.P.)	Advocate	Khurja Tehsil Bulandshahar (U.P.)
276.	Anil Kumar Sharma	H.No. 373-A/649, Ram Nagar, Khanua Mandi Ghaziabad, U.P.	Advocate	Ghaziabad (U.P.)
277.	Kishan Lal Goyal	Sub Tehsil Malout Fateh Kot (Punjab)	Advocate	Sub-Tehsil Malout Ramli, Faridkot (Punjab)
278.	Muli Ram Aggarwal	Vijaydhar Karamta Opp. Mahantji Ki Haweli, H. No. 708, Jaipur.	Advocate	Jaipur (Rajasthan)
279.	K.G. Rajpal	10 R.R. Road, Fort, Bangalore.	Advocate	Bangalore.
280.	T.S. Nandimath	Gurwarpath Gokak Taluka, Belgaum, (Karnataka)	Advocate	Gokak Taluka Belgaum (Kar)
281.	Kallash Prakash	113 Datta Gali, Near Police Chowki, Ghaziabad (U.P.)	Advocate	Ghaziabad (U.P.)
282.	Hakam Chand Mittal	New Christian Colony, Near Civil Hospital, Jagadhari.	Advocate	Jagadhari (Haryana)
283.	M. Pampangouda	Resident of Gangawati, Distt. Raichur (Karnataka)	Advocate	Raichur Distt. (Karnataka)
284.	Bikram Chander	4727 Mohalla Bhogian Jagraon Distt. Ludhiana (Punjab)	Advocate	Jagraon Distt. Ludhiana (Pun.)
285.	Naryan Ram	Ward No. 29 Near Chotian well P.O. Fatehpur Shekhawati, Distt. Sikar (Raj.)	Advocate	Fatehpur (Raj.)

1	2	3	4	5	6
286.	Rakesh Kumar Vaishney	21, Tilak Marg, Rishikesh (U.P.)	Advocate	Rishikesh (U.P.)	
287.	Rajeev Kumar Varshney	Ramghat Road, Vishnu Pur, Aligarh (U.P.)	Advocate	Aligarh (U.P.)	
288.	Rudra Naayan Jha	Isaak Chak, Near Water Tower, Distt. Bhagalpur (Bihar)	Advocate	Bhagalpur Distt. (Bihar)	
289.	Phani Bhushan Pathak	Rajput Mohalla, Arga Ghat, Distt. Girdhi. (Bihar).	Advocate	Girdhi Distt. (Bihar)	
290.	K.L. Singhal	11, Ram Nagar, New Delhi-55.	Advocate	Union Territory of Delhi	
291.	Data Ram Singh	Via Alipur Distt. JhunJhunu (Rajasthan)	Advocate	JhunJhunu (Rajasthan)	
292.	Tarun Mehta	6047, Jamna Dass Bldgs, Ambala Cantt (Haryana)	Advocate	Ambala Cantt (Haryana)	
293.	P.B. Sugumar	48, New State Bank Colony Tambaram, Madras.	Advocate	Tambaram (Madras)	
294.	A.N. Patil	236, Jain Temple Road Hindwadi Balgaum (Karnataka)	Advocate	Belgaum Distt. (Karnataka)	
295.	Dalip Kumar Bhattacharya	109, Kalighat Road, Calcutta-7000 026.	Advocate	Kalighat (Calcutta)	
296.	Ekam Singh	Village & P.O. Alachaur Tehsil Nawashahar, Jalandhar (Punjab)	Advocate	Nawanshahar (Punjab)	

[F.No. 5/81/91-Judl.]

P.C. KANNAN, Competent Authority

कार्मिक, लोक निकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

आदेश

नई दिल्ली, 25 फरवरी, 1992

का. भा. 794.--केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 का उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा राज्य सरकार, गृह विभाग की सहमति से तारीख 28-12-91 के आदेश द्वारा दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारियों का विस्तार, भारतीय वण्ड संहिता की धारा 302 के अधीन दण्डनीय अपराध और उक्त अपराध के संबंध में या उसके संश्लेष प्रयत्न, बुल्लेख और पड़वत तथा उन्हीं सध्यों से उत्पन्न होने वाले वैसे ही संश्लेषकार के अनुक्रम में पुलिस थाना जामली, जिला सिरसा, हरियाणा में रजिस्ट्रीकृत प्रथम सूचना रिपोर्ट, सं. 219 तारीख 22-7-91 की बाबत किए गए किसी अन्य अपराधों के अन्वेषण के लिए संपूर्ण हरियाणा राज्य पर करती है।

[संख्या 228/52/91-ए.सी.डी.-II]

ए.सी. शर्मा, अधीक्षक

MINISTRY OF PERSONNEL, P. G. & PENSIONS

(Department of Personnel & Training)

ORDER

New Delhi, the 25th February, 1992

S.O. 794.--In exercise of the powers conferred by Sub-Section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of

1946), the Central Government with the consent of the State Government of Haryana, Home Department vide order dated 28-12-91 hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Haryana for investigation of the offence punishable under section 302 Indian Penal Code and attempts, abetment and conspiracies in relation to or in connection with the said offence and any other offences committed in the course of the same transaction arising out of the same facts in regard to FIR No. 219 dated 22-7-1991 registered at Police Station Dabwali, Distt. Sirsa of Haryana.

[No. 228/52/91-AVD. II]

A. C. SHARMA, Under Secy.

केन्द्रीय उत्पाद शुल्क समन्वयक

अधिसूचना संख्या 02/1992

नागपुर, 6 फरवरी, 1992

का. भा. 795.--नागपुर समन्वयक के केन्द्रीय उत्पाद शुल्क समूह 'ख' अधिकारी श्री पी.के. तेलगोटे, अधीक्षक दिनांक 1-1-92 (पूर्वार्ध) से स्वेच्छा से सेवानिवृत्त हुए हैं।

[का. सं. 11(3)7/91/स्वायत्ता-I/3550]

मुनीश उके, भा. रा. मे. उप समन्वयक (कार्मिक एवं सतर्कता)]

OFFICE OF THE COLLECTOR OF CUSTOMS & CENTRAL EXCISE

NOTIFICATION NO. 02/92

Nagpur, the 6th February 1992

S.O. 795.--Shri P.K. Telgotte, Superintendent, Central Excise Group 'B' of Nagpur Collectorate has retired voluntarily with effect from 1-1-92 in the forenoon

[C.No II(3) 7/91/Estt. I/3550]

SUNIL UKE, I.R.S., Dy. Collector (Personnel & Vigilance)

अधिसूचना संख्या 01/1992

नागपुर, 6 फरवरी, 1992

का.आ. 796—समस्तानिब, केन्द्रीय उत्पाद शुल्क, नागपुर के निम्नलिखित अधिकारीगण निवर्तन प्राप्त करने पर अवकाश, समूह 'ख' केन्द्रीय उत्पाद शुल्क के ग्रेड में उनके नाम दर्शाई गयी दिवस से पारस्परिक सेवा में निवृत्त हो गये।

क्रम सं.	अधिकारियों के नाम	निवृत्त होने की तारीख
सर्वथा		
1. ए.के. श्रीवास्तव		31-10-1991 (अपराह्न)
2. एम.एल. देशमुख		31-12-1991 (अपराह्न)

[प. सं. II(3) 7/91-स्थापना-I/3528]

सुनील उके, भा.रा.से. उप समाहर्ता
(कार्मिक एवं सतर्कता)

NOTIFICATION NO. 01/92

Nagpur, the 6th February, 1992

S.O. 796.—The following Superintendents Central Excise Group 'B' of Nagpur Collectorate having attained the age of superannuation, retired from Government service on the dates shown against their names :—

Sr. No.	Name of the Officer	Date of retirement
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S/Shri

1	A.K. Shrivastava	31-10-1991 (A.N.)
2	M.L. Deshmukh	31-12-1991 (A.N.)

[C. No. II(3) 7/91/Estt. I/3528]

SUNIL UKE, I.R.S. Dy. Collector
(Personnel & Vigilance)

मुख्य आयकर आयुक्त का कार्यालय

अहमदाबाद, 16 जनवरी, 1992

आयकर

का.आ. 797—मुख्य आयकर आयुक्त, अहमदाबाद और मुख्य आयकर आयुक्त 2 द्वारा तारीख 5 जुलाई 1991 को जारी की गई अधिसूचना में प्रांशिक संशोधन करते हुए, तथा आयकर अधिनियम, 1961 की धारा 120 की उपधारा (1) के अन्तर्गत केन्द्रीय प्रत्यक्ष कर बोर्ड (बोर्ड) नई दिल्ली द्वारा जारी की गई अधिसूचना सं. 8748 (फा.सं. 279/131/89 आई.टी.जे. तारीख 11 अक्टूबर 1990 और अधिसूचना सं. 8980 (फा.सं. 279/2/92-आई.टी.जे. तारीख 14 जनवरी, 1992 में प्रदत्त शक्तियों का प्रयोग करते हुए, मुख्य आयकर आयुक्त, अहमदाबाद तथा मुख्य आयकर आयुक्त 2 अहमदाबाद, एतद्वारा, निर्देश दिया जाता है कि कालम 3 में विनिर्दिष्ट आयकर बोर्ड, सर्वेक्षण तथा रोज कार्यालयों में आयकर या अधिकार अथवा व्याज कर के अंतर्गत ऐसे सभी व्यक्तियों के मामले में जिनका निर्धारण दिया जाता है। नीचे दी गई अनुसूची के कालम 2 में दर्शाये गये आयकर (आयुक्त (अपील) अपने कर्तव्यों का पालन करेंगे, जो अधित आयकर अधिनियम, 1961 (1961 का 43) की धारा 246 की उप धारा 2 के (ए) से लेकर (एच) तक उल्लिखित आदेशों से अथवा कम्पनी लाभ अधिनियम, 1964 की धारा

11 से अथवा व्याज कर अधिनियम 1974 (1974 का 45) की धारा 15 की उपधारा (1) में उल्लिखित आदेशों से असन्तुष्ट हो, साथ ही उन व्यक्तियों या व्यक्ति-प्रवर्गों के मामले में भी वे अपने उपर्युक्त कर्तव्यों का पालन करते हुए, जिनके सम्बन्ध में बोर्ड ने निर्देश दिया हो, अथवा आयकर अधिनियम, 1961 की धारा 246 की उप धारा 2 के प्रावधानों के अनुषंग केन्द्रीय प्रत्यक्ष कर बोर्ड अथवा निम्न हस्ताक्षरी द्वारा जिनके सम्बन्ध में भविष्य में बोर्ड निर्देश दे सकते हैं।

क्रम सं.	आयकर आयुक्त (अपील) का प्रभार और मुख्यालय	निम्नलिखित द्वारा पारित आदेशों के खिलाफ अपीलों पर अधि कारिता
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1	2	3
1. आयकर आयुक्त (अपील-1) अहमदाबाद	(क) निम्नलिखित निरीक्षीय सहायक आयकर आयुक्त आई. ए.सी.) या निर्धारण अधिकारी जो 1-4-1988 से पूर्व निम्न अधिकार क्षेत्र के अंतर्गत थे।	

(1) नि.म.आ. अहमदाबाद रेंज-3, अहमदाबाद

(ख) निम्नलिखित आयकर उप-आयुक्त अथवा निर्धारण अधिकारी जो 1-4-1988 को या बाद में निम्न-लिखित के क्षेत्राधिकार में हैं।

(1) आयकर उप-आयुक्त, अहमदाबाद रेंज 2, अहमदाबाद।

(2) आयकर उप-आयुक्त (निर्धारण) विशेष रेंज 6 अहमदाबाद।

2. आयकर आयुक्त (अपील)-5, अहमदाबाद

(क) निम्नलिखित निरीक्षीय सहायक आयकर आयुक्त (आई. ए.सी.) या निर्धारण अधिकारी जो 1-4-1988 को या इससे पहले निम्न क्षेत्राधिकार के अंतर्गत हो।

1. निरीक्षीय सहायक आयुक्त, अहमदाबाद रेंज-1, अहमदाबाद।

2. निरीक्षीय सहायक आयुक्त अहमदाबाद रेंज-4, अहमदाबाद।

3. निरीक्षीय सहायक आयुक्त (अन्वेषण) (सर्वेक्षण) अहमदाबाद।

4. निरीक्षीय सहायक आयुक्त (निर्धारण-5)

(1)	(2)	(3)	(1)	(2)	(3)
		5. निरीक्षीय सहायक - आयुक्त अहमदाबाद, निर्धारण-1 अहमदाबाद			(1) आयकर उप-निदेशक (अन्वेषण) यूनिट-1 अहमदाबाद
	(ख) निम्नलिखित आयकर उप- आयुक्त अथवा निर्धारण अधिकारी जो ता. 1-4-88 या इससे पश्चात निम्न क्षेत्राधिकार में है :-				(2) आयकर उप-निदेशक (अन्वे- षण) यूनिट-2 अहमदाबाद
	1. आयकर उप-आयुक्त, अहमदा- बाद रेंज				(3) आयकर उप निदेशक (अन्वेषण) यूनिट-3, अहमदाबाद
	2. आयकर उप-आयुक्त, अहमदा- बाद रेंज-4, अहमदाबाद		2. यह अधिसूचना 16 जनवरी 1992 से प्रभावी होगी।		
	3. आयकर उप-आयुक्त (निर्धारण) विशेष-रेंज-1, अहमदाबाद		[फा.सं. उप आयु. (मुख्या) 1-2/1-1/91-92]		
	4. उप-आयुक्त (निर्धारण) विशेष रेंज-5, अहमदाबाद		मौ खुशालदास, मुख्य आयकर आयुक्त, गुजरात गोविन्द मिश्र, मुख्य आयकर आयुक्त-2, गुजरात,		
	5. आयकर उप-आयुक्त (निर्धारण) विशेष रेंज-7, अहमदाबाद				
3 आयकर आयुक्त (अपील)-6 अहमदाबाद	(ग) आयकर आयुक्त गुजरात-1 और गुजरात-3 के प्रभारों के अन्य कोई भी सर्कल/बोर्ड या रेंज जो इस आदेश के अधीन विनिष्ट रूप से किसी अन्य आयकर आयुक्त (अपील) को सुपुर्न नही किये गये हो।				
	(क) निम्नलिखित निरीक्षीय सहा- यक आयुक्त या निर्धारण अधि- कारी जो (1-4-88) से पहले निम्न क्षेत्राधिकार में थे :-				
	(1) निरीक्षीय सहायक आयुक्त, केन्द्रीय रेंज-1 अहमदाबाद				
	(2) निरीक्षीय सहायक आयुक्त, केन्द्रीय रेंज-2, अहमदाबाद (केन्द्रीय सर्कल, राजकोट और केन्द्रीय सर्कल जाम- नगर को छोड़कर)।				
	(ख) निम्नलिखित आयकर उप- आयुक्त अथवा निर्धारण अधिकारी ता. 1-4-88 को या उसके पश्चात निम्न क्षेत्राधिकार में हैं :-				
	(1) आयकर उप-आयुक्त, केन्द्रीय रेंज-1, अहमदाबाद।				
	(2) आयकर उप-आयुक्त केन्द्रीय रेंज-2 अहमदाबाद (केन्द्रीय सर्कल राजकोट और केन्द्रीय सर्कल जाम- नगर को छोड़कर)				
	(ग) निम्नलिखित आयकर उप- निदेशक (अन्वेषण),				

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX

Ahmedabad, the 16th January, 1992

S O.797—In partial modification of the Notification dated 5th July 1991, issued by the Chief Commissioner of Income-tax Ahmedabad and the Chief Commissioner of Income-tax (II), Ahmedabad, and in exercise of the powers conferred on the undersigned by sub-section (1) of section 120 of the Income-tax Act 1961 and by Notification No. 8748 (F. No. 279/121/89-ITJ dated 11th October, 1990 and Notification No. 8980 (F. No. 279/2/92-ITJ dated 14th January, 1992 issued by the Central Board of Direct Taxes (the Board) New Delhi, in this behalf under the said section, the Chief Commissioner of Income-tax, Ahmedabad and the Chief Commissioner of Income Tax (II) Ahmedabad hereby direct that the Commissioners of Income Tax (Appeals mentioned in Col 2 of the Schedule below shall perform their functions in respect of such persons assessed to Income-tax or Sur Tax or Interest Tax in the Income Tax Wards, Circles and Range specified in Col. 3 thereof, as are aggrieved by any of the order mentioned in clause (a) to (h) of Sub-section (2) of Section 246 of the Income-tax Act 1961 (4 of 1961) or Section 11 of Companies (Profits) Sub Tax Act, 1964 (7 of 1964) or sub-section (1) of Section 15 of the Interest-tax Act, 1974 (45 of 1974) and also in respect of such person or clauses of persons as the Board has directed or the Board of the undersigned may direct in future in accordance with the provisions of clause (i) of sub-section-2 of Section 246 of the Income-tax Act, 1961.

SCHEDULE

Sr. Charge of the No. C.I.T. (Appeals) with H. Qrs.	Jurisdiction over appeals against orders passed by
1	2
1	3
I. Commissioner of Income-tax (Appeals)- I, Ahmedabad.	(a) The following Inspecting Assistant Commissioners (IACs) or Assessing Officers falling (prior to 1/4/1988) within the jurisdiction of:- (i) I.A.C., Ahmedabad Range-III, Ahmedabad.

1	2	3	1	2	3
		(b) The following Deputy Commissioners of Income-tax or Assessing Officers falling (on or after 1/4/1988) within the jurisdiction of:—			within the jurisdiction of:—
		(i) Deputy Commissioner of Income-tax, Ahmedabad Range-3, Ahmedabad.			(i) I.A.C. Central Range-I Ahmedabad.
		(ii) Dy. Commissioner of Income-tax (Assessment) Special Range-6 Ahmedabad.			(ii) I.A.C. Central Range-II, Ahmedabad (excluding Central Circle Rajkot and Central Circle Jamnagar).
II. Commissioner of Income-tax (Appeals)-V, Ahmedabad.		(a) The following Inspecting Assistant Commissioners (IACs) or Assessing Officers falling (prior to 1/4/1988) within the jurisdiction of:—			(b) The following Deputy Commissioners of Income-tax or Assessing Officers falling (on or after 1/4/1988) within the jurisdiction of:—
		(i) I.A.C., Ahmedabad Range-I, Ahmedabad.			(i) Dy. Commissioner of Income-tax Central Range-I, Ahmedabad
		(ii) I.A.C., Ahmedabad Range-IV, Ahmedabad.			(ii) Dy. Commissioner of Income-Tax Central Range-2, Ahmedabad (excluding Central Circle Rajkot & Central Circle Jamnagar).
		(iii) I.A.C. (Investigation)/ (Survey), Ahmedabad.			(c) The following Deputy Directors of Income-tax (Investigation):—
		(iv) I.A.C. (Assessment)-V, Ahmedabad.			(i) Dy. Director of Income-tax (Investigation) Unit-I Ahmedabad.
		(v) I.A.C. (Assessment)-I, Ahmedabad.			(ii) Dy. Director of Income-tax (Investigation) Unit-II, Ahmedabad.
		(h) The following Deputy Commissioners of income tax Assessing Officers falling (on or after 1/4/1988) within the jurisdiction of:—			(iii) Dy. Director of Income-tax (Investigation) Unit-III, Ahmedabad.
		(i) Dy. Commissioner of Income-tax Ahmedabad Range-1, Ahmedabad.			
		(ii) Dy. Commissioner of Income-tax Ahmedabad Range-4, Ahmedabad.			
		(iii) Dy. Commissioner of Income-tax (Assessment) Special Range-1, Ahmedabad.			
		(iv) Dy. Commissioner of Income-tax (Assessment) Special Range-5, Ahmedabad.			
		(v) Dy. Commissioner of Income-tax (Assessment) Special Range-7, Ahmedabad.			
		(c) Any other Circles/Wards or Ranges in the Charges of the Commissioners of Income-tax, Gujarat-I & Gujarat-III, Ahmedabad not specifically assigned to any other Commissioner of Income-tax (Appeals) under this order.			
III. Commissioner of Income-tax (Appeals)-VI Ahmedabad		(a) The following Inspecting Assistant Commissioners (IACs) or Assessing officer falling (prior to 1/4/88)			

2. This Notification shall come into force with effect from 16-1-92.

[F.No. DC (HQ) I-II/IV-1/91-92]

(G.K. MISHRA)
Chief Commissioner of
Income-tax (II)

(C. KHUSHALDAS)
Chief Commissioner of
Income-tax

माध्यम संसाधन विकास मंत्रालय

(महिला एवं बाल विकास विभाग)

पूत विन्यास अधिनियम, 1890 (1890 का 6) के मामले में

राष्ट्रीय बाल कोष, नई दिल्ली के मामले में

नई दिल्ली, 21 फरवरी, 1992

का.आ. 798.—राष्ट्रीय बाल कोष, नई दिल्ली के प्रबन्ध बोर्ड द्वारा किए गए अधिनियम पर और उनकी सहमति से पूत विन्यास अधिनियम, 1890 (1890 का 6) के खण्ड 10 (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा आदेश देती है कि नीचे दिए गए व्योरे के अनुसार रु. 38,41,954/- (अठतीस लाख इकतालीस हजार नौ सौ चालीस मात्र) (चासी लाख की छूट कीमत) की राशि स्टेट बैंक ऑफ़ पटियाणा, शास्त्री भवन, नई दिल्ली में सर्टिफिकेट ऑफ़ डिपोजिट योजना में 16.5% की छयाज दर पर 91 दिनों के लिए 07.02-92 का नीचे दिए गए व्योरे के अनुसार निवेश को गई।

क्रम सं.	राशि	विछले निवेश की तारीख	भुगतान की तारीख	आभियुक्तियाँ
1.	40,00,000/-	07-11-91	07-02-92	बची हुई राशि सिडि- केट बैंक, हाउज खास नई दिल्ली में 46 दिनों के लिए फिक्स डिपॉजिट योजना में जमा कराई जाएगी

2. भारत सरकार के तत्कालीन समाज कल्याण विभाग के दिनांक 2 मई 1979 के समय-समय पर यथा संशोधित सां.आ. 120(ई) की अधिसूचना के साथ प्रकाशित राष्ट्रीय बाल कोष, नई दिल्ली के संचालन की योजना के अनुसार प्रयोग किए जाने हेतु उपरोक्त खाता भारतीय पूर्व विन्यास के खजान्ची के नाम होगा।

[सं. 13-4/92 टी. आर. II]

प्रेम सागर अवर सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Women & Child Development)

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT, 1890

(6 of 1890)

IN THE MATTER OF THE NATIONAL CHILDREN'S FUND, NEW DELHI

New Delhi, the 21st February, 1992

S.O. 798—On the application made by and with the concurrence of the Board of Management of the National Children's Fund, New Delhi, as in exercise of the powers conferred by Section 10(2) of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government do hereby order that the sum of Rs. 38,41,954/- (Rupees Thirtyeight Lakh Fortyone Thousand Nine Hundred and Fiftyfour only) (discounted value of Rs. 40,00,000/-) as per particular given below invested in Certificate of Deposit Scheme for 91 days in State Bank of Patiala, Shastri Bhavan, New Delhi with effect from 07-02-92 at the rate of interest 16.5%.

Sl. No.	Amount	Date of Previous Investment	Date of Maturity	Remarks
1.	40,00,000/-	07-11-91	07-02-92	Surplus amount will be deposited in FD for 46 days with Syndicate Bank, Hauz Khas, New Delhi.

2. The above account shall vest in the treasurer of charitable endowments of India to be held by him for being applied in accordance with the scheme for the administration of the National Children's Fund, New Delhi, published with the Notification of the Government of India in the then Department of Social Welfare No. S.O. 120 (E) dated the 2nd March, 1979 a amende! from time to time.

[F. No. 13-4-/92-TR-II]

PREM SAGAR, Under Secy.

नई दिल्ली, 21 फरवरी, 1992

कां.आ. 798—राष्ट्रीय बाल कोष, नई दिल्ली के प्रबन्ध बोर्ड द्वारा किए आवेदन पर और उनकी सहमति से पूर्व विन्यास अधिनियम, 1890 (1890 का 6) के खण्ड 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा आदेश देती है कि नीचे दिए गए व्योरे के अनुसार रु. 1,58,046/- (एक लाख अठान्न हजार छयालीस मात्र) की राशि सिडिकेट बैंक, हाउज खास, नई दिल्ली में 46 दिनों के लिए फिक्स डिपॉजिट योजना के अंतर्गत 11% की ब्याज दर से निवेश की गई:

क्रम सं.	राशि	विछले निवेश की तारीख	भुगतान की तारीख	आभियुक्तियाँ
1.	1,58,046/-	07-11-91	07-02-92	बैंक आफ इंडिया, जनपत, नई दिल्ली

में जमा 40 लाख
छूट कीमत में से
अतिरिक्त राशि

2. भारत सरकार के तत्कालीन समाज कल्याण विभाग के दिनांक 2 मई 1979 के समय-समय पर यथा संशोधित सां.आ. 120(ई) की अधिसूचना के साथ प्रकाशित राष्ट्रीय बाल कोष, नई दिल्ली के संचालन की योजना के अनुसार प्रयोग किए जाने हेतु उपरोक्त खाता भारतीय पूर्व विन्यास के खजान्ची के नाम होगा।

[सं. 13-4/92 टी. आर. II]

प्रेम सागर, अवर सचिव

New Delhi, the 21st February, 1992

S.O. 799.—On the application made by and with the concurrence of the Board of Management of the National Children's Fund, New Delhi, as in exercise of the powers conferred by Section 4 of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government do hereby order that the sum of Rs. 1,58,046/- (Rupees One lakh fifty eight thousand forty, six only) invested in Fixed Deposit Scheme in Syndicate Bank, Hauz Khas, New Delhi for 46 days w.e.f. 7-2-92 at the rate of interest 11% per annum.

Sl. No.	Amount	Date of Previous Investment	Date of Maturity	Remarks
1.	1,58,046/-	07-11-91	07-02-92	Surplus amount of discounted value of Rs. 40 lakhs deposited in Bank of India Janpath, New Delhi.

2. The above account shall vest (in the treasurer of charitable endowments of India to be held by him for being applied in accordance with the scheme for the administration of the National Children's Fund, New Delhi, published with the Notification of the Government of India in the then Department of Social Welfare No. S.O. 120 (E) dated the 2nd March, 1979 as amended from time to time.

[F. No. 13-4/92-TR-II]

PREM SAGAR, Under Secy

संस्कृति विभाग

(भारतीय पुरातत्व सर्वेक्षण)

नई दिल्ली, 26 फरवरी, 1992

(पुरातत्व)

का.प्र. 800:—केन्द्रीय सरकार की यह राय है कि
इससे उपायय अनुसूची में निर्दिष्ट संस्मारक राष्ट्रीय महत्व का है,

अतः, अब, केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 34) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की दो मास की सूचना देती है।

केन्द्रीय सरकार, इस अधिसूचना के राजपत्र में निकाले जाने की तारीख से दो मास की अवधि के भीतर उक्त संस्मारक में हितबद्ध किसी व्यक्ति से प्राप्त किसी आपत्ति पर विचार करेगी। आपत्तियाँ महानिदेशक, भारतीय पुरातत्व सर्वेक्षण, जनपथ, नई दिल्ली 1100011 को भेजी जा सकती हैं।

अनुसूची

राज्य	जिला	परिक्षेत्र	संस्मारक का नाम	संरक्षण के लिए शामिल किए जाने वाले राजस्व प्लॉट संख्या	क्षेत्र	सोपाण	स्वामित्व	टिप्पणियाँ
1	2	3	4	5	6	7	8	9
उड़ीसा	कटक	जाजपुर टाऊन	जगन्नाथ मंदिर, जिसमें मुक्तेश्वर मंदिर स्थान बेदी, भोगशाला और मंदिर के चारों तरफ का भग्नावशेष तथा उत्तरी और पूर्वी द्वार भी सम्मिलित हैं।	सर्वेक्षण प्लॉट सं. 813	8.79 एकड़	उत्तर : सर्वेक्षण प्लॉट सं. 3, 9, 10, 11, 12 और 315 पूर्व : सर्वेक्षण प्लॉट सं. 311, 312 और 401 दक्षिण : सर्वेक्षण प्लॉट सं. 343 (सड़क) पश्चिम : सर्वेक्षण प्लॉट सं. 394	लोक न्यास महत्त	

[सं० 2/19/88-एम]

एम.सी. जोशी, महानिदेशक

DEPARTMENT OF CULTURE

(Archaeological Survey of India)

New Delhi, the 26 Feb., 1972

(ARCHAEOLOGY)

S.O. 800.—Whereas the Central Government is of the opinion that the ancient monument specified in the Schedule annexed hereto is of national importance;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two months' notice of its intention to declare the said ancient monument to be of national importance;

Any objection which may be received within a period of two months, from the date of issue of this notification in the Official Gazette from any person interested in the said ancient monument will be taken in to consideration by the Central Government. The objection may be addressed to the Director General, Archaeological Survey of India, Janpath, New Delhi-110011.

SCHEDULE

State	District	Locality	Name of Monument/	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9
Orissa	Cuttack	Jajpur Town	Jagannath Temple including Mukteswar temple, Snana Bedi, Bhogoshala and compound wall around the temple including North and East Gates.	Survey plot No. 13	0.79 Acres	North:- Survey plot Nos. 3, 9, 10, 11, 12, and 315 East:- Survey plot Nos. 311, 312 and 401 South:- Survey plot No. 345 (Road) West:- Survey plot No. 394.	Public Trust (Mahanta)	

[No. 2/19/88- M]

M.C. JOSHI, Director General

नई दिल्ली, 26 फरवरी, 1992

पुरातत्व

का.भा. 301.—केन्द्रीय सरकार की यह राय है कि इससे उपाबद्ध धनुसूची में विनिर्दिष्ट प्राचीन संस्मारक राष्ट्रीय महत्व का है;

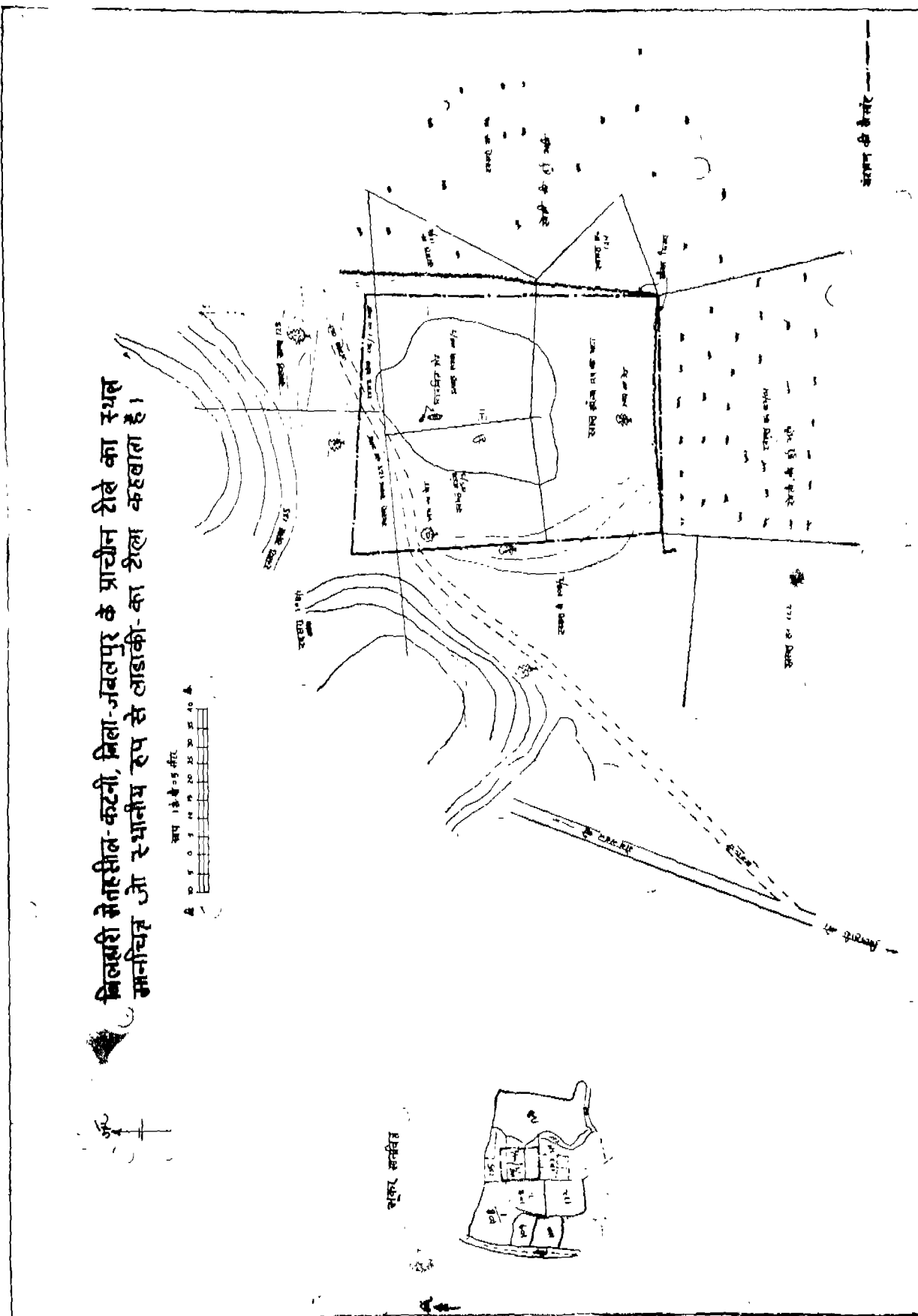
अतः अब, केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अधिशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की

उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की वो मास की सूचना देती है।

केन्द्रीय सरकार, इस अधिसूचना के राजपत्र में जारी किए जाने की तारीख से वो मास की अधिधि के भीतर उक्त प्राचीन संस्मारक में हितबद्ध किसी व्यक्ति से प्राप्त किसी आक्षेप पर विचार करेगी। आक्षेप महानिदेशालय भारतीय पुरातत्व सर्वेक्षण, जनपथ, नई दिल्ली-110011 को भेजी जा सकेंगी

अनुसूची

राज्य	जिला	परिक्षेत्र	स्थल का नाम	संरक्षण के लिए शामिल किए जाने वाले राजस्व प्लॉट सं.	क्षेत्र	सीमाएं	स्वामित्व	टिप्पणियां
1	2	3	4	5	6	7	8	9
मध्य प्रदेश	अबलपुर	बिलहारी	प्राचीन टोला जो स्थानीय तौर पर लड़ाकी-का-टीला के रूप में ज्ञात है।	के. सं. 125/3 और के. सं. 125, 125, 124, /1, 125/2 का भाग जैसा कि नीचे उल्लिखित रेखांक में दर्शाया है।	5620.4375 वर्ग मीटर या 1.389 पूर्ण एकड़	उत्तर: के. सं. 125 और 125/1 का शेष भाग के. सं. 124 और 125/2 का शेष भाग। दक्षिण: के. सं. 123/131 पश्चिम: के. सं. 108/1 और 108/2	के. सं. 124 मध्य प्रदेश सरकार और शेष भाग प्राइवेट स्वामित्व में।	—



[फा. सं. 2/29/83-एम.]

एम. सी. जोशी, महाविदेशक

New Delhi, the 26 February, 1992

(ARCHAEOLOGY)

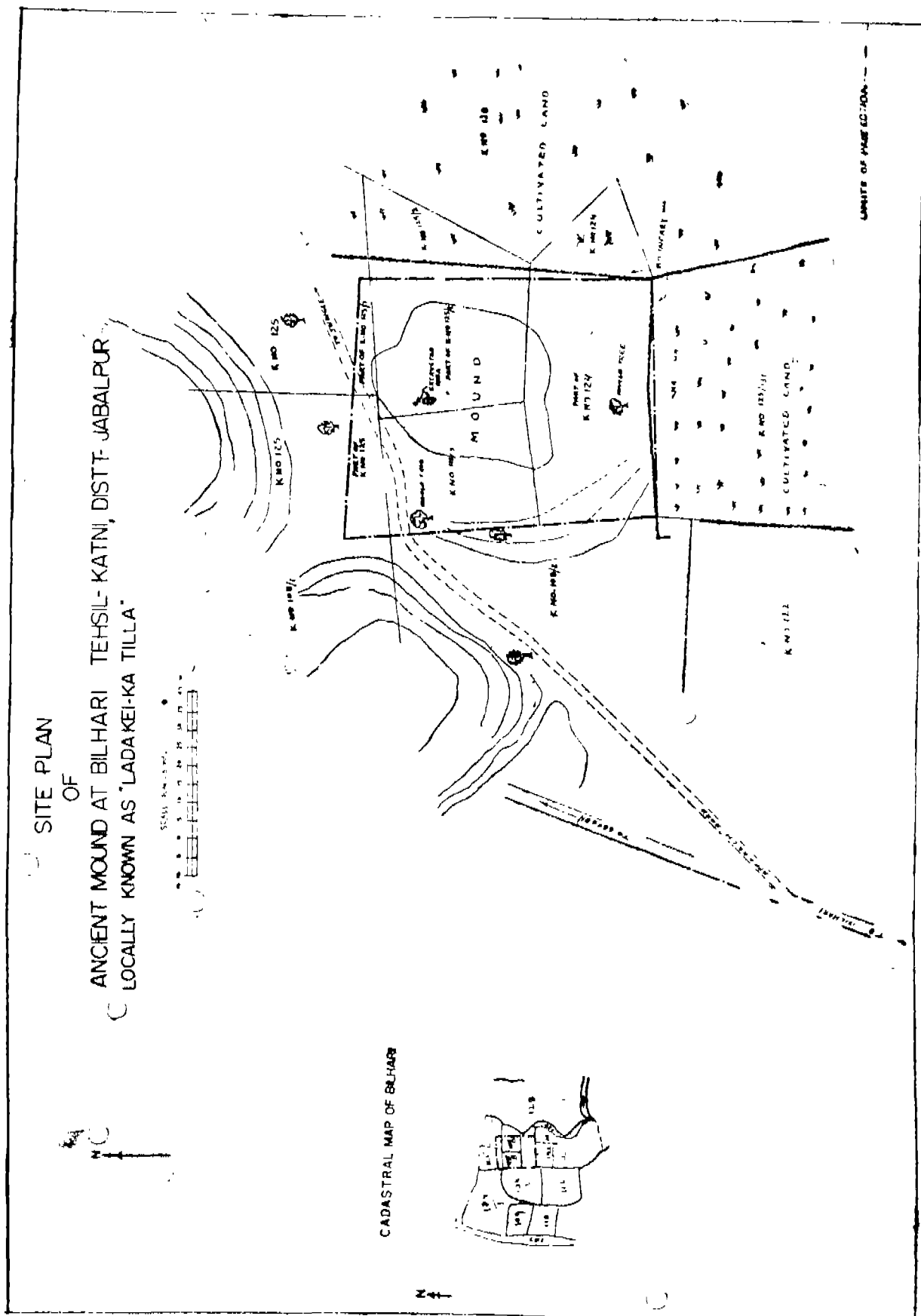
S.O. 861.— Whereas the Central Government is of the opinion that the ancient monument specified in the Schedule annexed hereto is of national importance

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two months notice of its intention to declare the said ancient monument to be of national importance.

Any objection which may be received within a period of two months from the date of issue of this notification in the Official Gazette from any person interested in the said ancient monument will be taken into consideration by the Central Government. The objection may be addressed to the Director General, Archaeological Survey of India, Janpath, New Delhi-11

SCHEDULE

State	District	Locality	Name of Site	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9
—Madhya Pradesh	Jabalpur	Bilhari	Ancient mound locally known as Ladakei-Ka-Tilla	K. No. 125/3 and part of K. Nos. 124, 125, 125/1, 125/2 as shown in the site plan reproduced below.	5620, 4375 Sq. Metre or 1.389 Acres	North:- Remaining part of K. Nos. 125 and 125/1. East:- Remaining parts of K. Nos. 124 and 125/2. South:- Khasra No. 123/131 West:- Khasra Nos 108/1 and 108/3.	Khasra No. 124 Madhya Pradesh Government and remaining under private ownership.	



[F. No. 2/29/83-- M]

M. C. JOSHI, Director General

नई दिल्ली, 26 फरवरी, 1992

का.प्रा. 802 --केन्द्रीय सरकार की यह राय है कि इसमें उपाबद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक राष्ट्रीय महत्व का है;

अतः, अत्र, केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्त्व स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 3 की

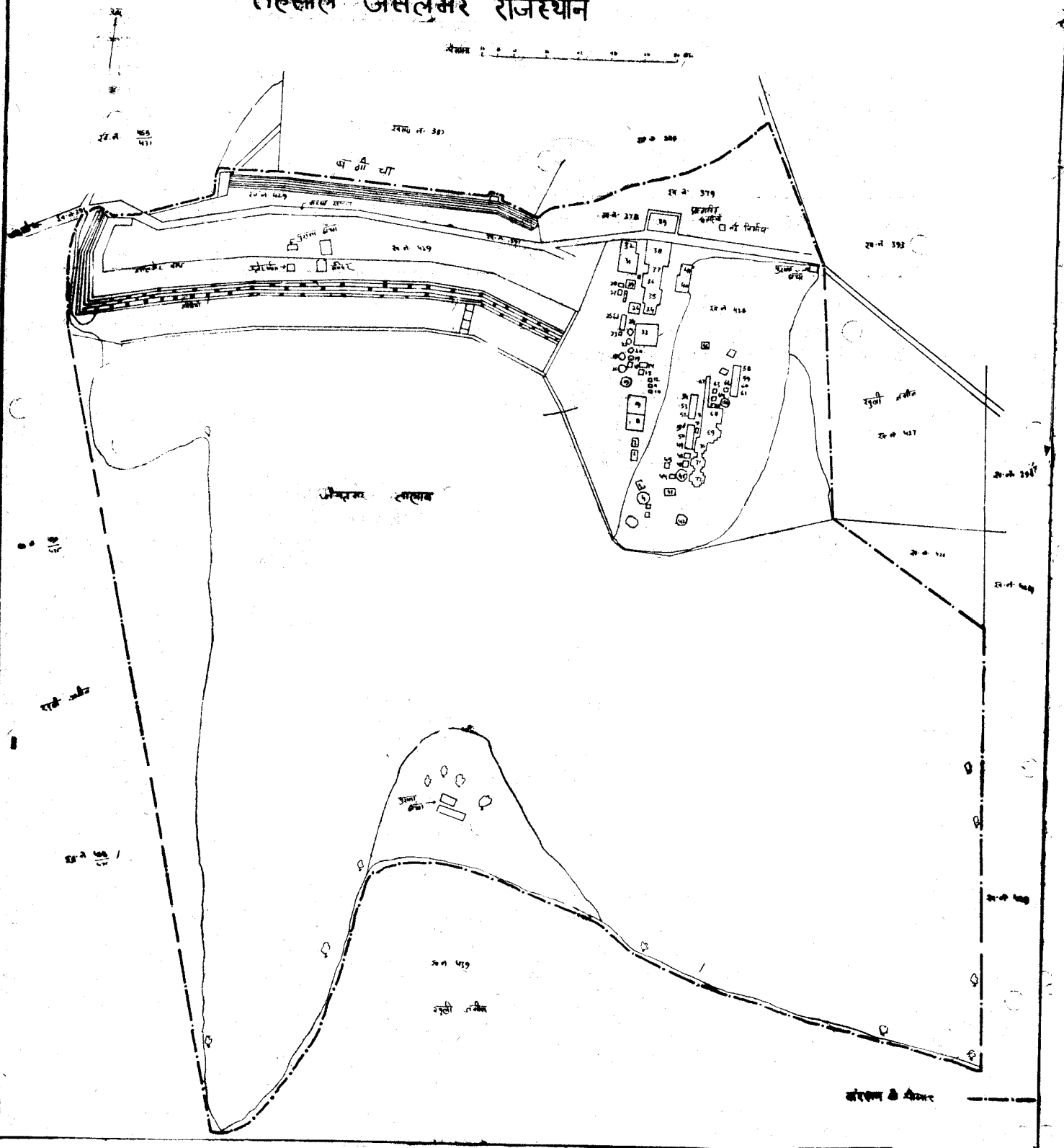
उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की दो मांग की सूचना देती है।

केन्द्रीय सरकार, इस अधिसूचना के राजपत्र में जारी किए जाने की तारीख से दो मास की अवधि के भीतर उस प्राचीन संस्मारक में हितबद्ध किसी व्यक्ति से प्राप्त किसी आक्षेप पर विचार करेगी। आक्षेप, महावि-निर्देशक भारतीय पुरातत्व सर्वेक्षण, जनपथ, नई दिल्ली-110011 को भेजे जा सकेंगे।

अनुसूची

राज्य	जिला	परिक्षेत्र	संस्मारक का नाम	सर्वेक्षण के लिए शामिल किए जाने वाले राजस्व प्लॉट संख्या	क्षेत्र	सीमाएं	स्वामित्व	टिप्पणियां
1	2	3	4	5	6	7	8	9
राजस्थान	जैसलमेर	बड़ा बाग	शाही स्मारक (छतरियां) और प्राचीन घंटा	सर्वेक्षण प्लॉट संख्यांक 378, 428, 429 और 379, 391 (मार्ग) और 425 का भाग जैसा कि नीचे स्पष्ट रेखांक में उल्लेख किया गया है।	5,069 हैक्टर	उत्तर--सर्वेक्षण प्लॉट संख्यांक 382, 455/471 और सर्वेक्षण प्लॉट संख्यांक 391 प्लॉट संख्या 379 कर शेष भाग। पूर्व -- सर्वेक्षण प्लॉट संख्यांक 393, 424, 425, 427, 392, 392, (मार्ग) और सर्वेक्षण प्लॉट संख्या 425 और 391 भाग (मार्ग) कर शेष भाग दक्षिण--सर्वेक्षण प्लॉट संख्यांक 439 पश्चिम--सर्वेक्षण प्लॉट संख्यांक 430/475 और 438/476	प्राइवेट सिवाय, सर्वेक्षण (मार्ग), जो कि सरकारी संपत्ति/भूमि है।	कुछ नहीं

बड़ा बाग में स्थित शाही इतरीयो का स्थल मानचित्र तहसील जसलमेर राजस्थान



[सं. 2/17/86-एम]

एम. सी. जोशी, महानिदेशक

New Delhi, the 26 February, 1992

S.O. 802. — Whereas the Central Government is of the opinion that the ancient monument specified in the Schedule annexed hereto is of national importance;

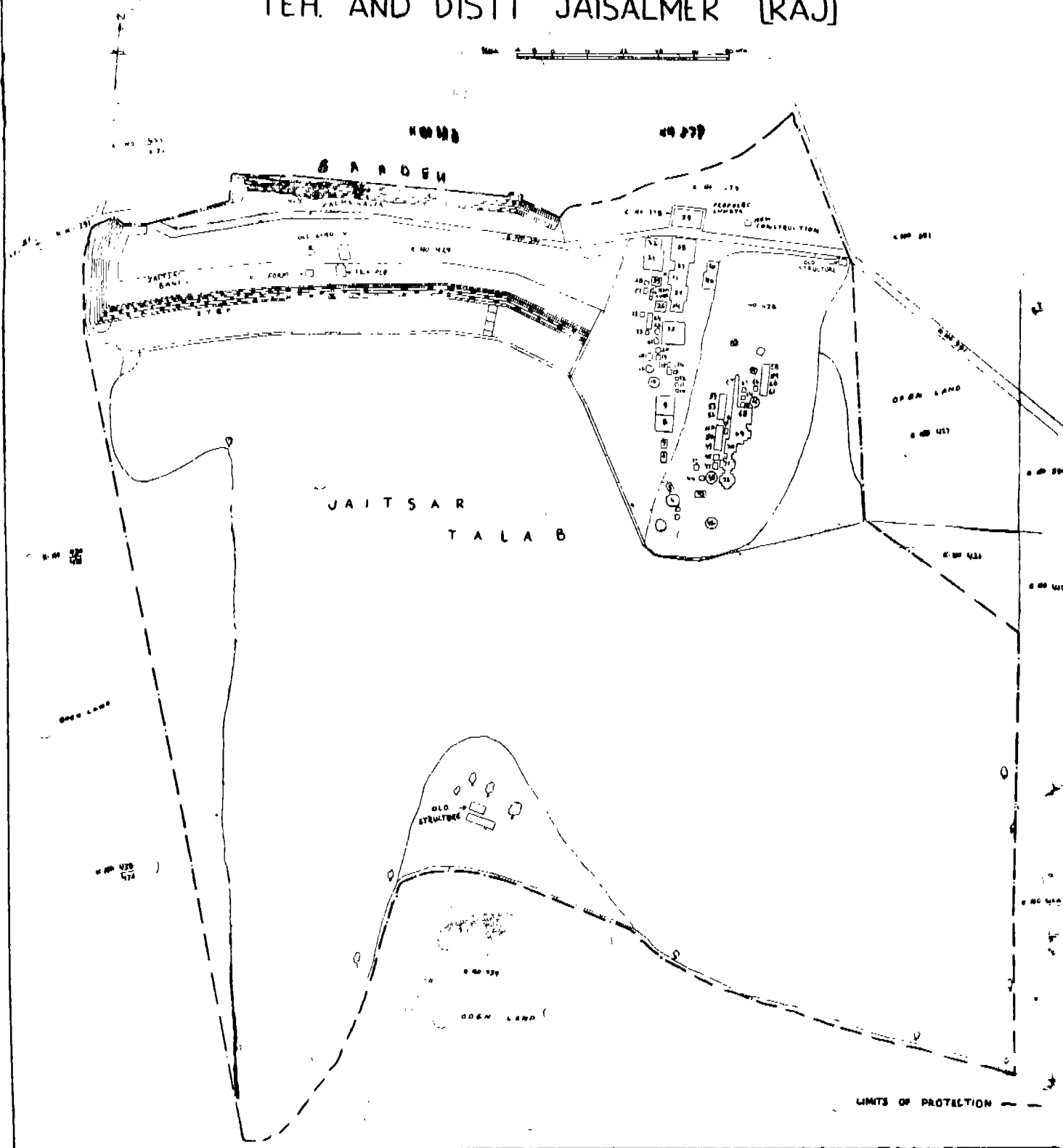
Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act 1958 (21 of 1958), the Central Government hereby gives two months notice of its intension to declare the said ancient monument to be of national importance.

Any objection which may be received within a period of two months from the date of issue of this notification in the Official Gazette from any person interested in the said ancient monument shall be taken into consideration by the Central Government. The objection may be addressed to the Director General, Archaeological Survey of India, Janpath, New Delhi -110011.

SCHEDULE

State	District	Locality	Name of Monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9
Rajasthan	Jaisalmer	Bada Bagh	Royal cenotaph (Chhatris) and ancient Band	Survey plot Nos. 378, 428, 429, and part of survey plot Nos. 379, 391 (pathway) and 425 as shown in the site plan reproduced below.	5.669 Hectares	North: Survey plot Nos. 382, 455/471 in its boundary part of survey plot number 379. East: Survey plot Nos. 393, 424, 426, 427, 392 (pathway) and remaining part of survey plot number 425 and 391 (part) (pathway). South: Survey plot, No. 439 West: Survey plot Nos. 430/475 and 438/476.	Private except survey plot number 361 (pathway) which is a Government property/land.	Nil.

SITE PLAN OF ROYAL CENOTAPHS [CHHATRIS] AT BADA BAGH TEH. AND DISTT JAISALMER [RAJ]



नई दिल्ली, 26 फरवरी, 1952

(पुरातत्व)

क्रा० आ० 803.—केन्द्रीय सरकार की यह राय है कि इससे उपायय अनुसूची में प्राचीन विनिर्दिष्ट स्थल राष्ट्रीय महत्व का है;

अतः अब, केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की

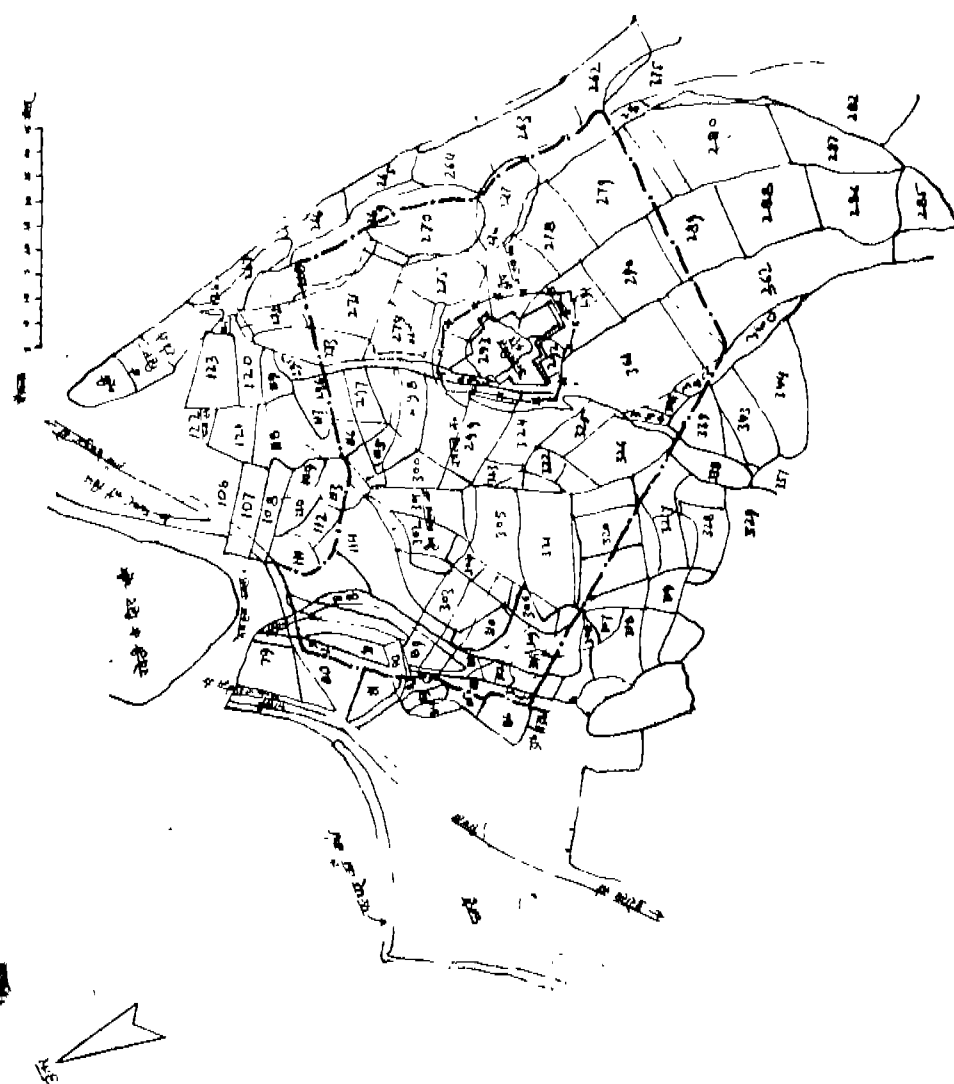
उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए उक्त स्थल को राष्ट्रीय महत्व का घोषित करने के अपने आशय की इस अधिसूचना के राजपत्र में प्रकाशित होने की तारीख से, दो मास की सूचना देती है।

केन्द्रीय सरकार, इस प्रकार विनिर्दिष्ट दो मास की अवधि के भीतर उक्त स्थल में हितव्यक्त किसी ध्वजित से प्राप्त किसी आक्षेप पर विचार करेगी। आक्षेप महानिदेशक, भारतीय पुरातत्व सर्वेक्षण, जनपथ, नई दिल्ली-110011 को भेजे जाएं।

अनुसूची

राज्य	जिला	परिक्षेत्र	संस्मारक / स्थल का नाम	संरक्षण के लिए प्रामाणिक किए जाने वाले राजस्व प्लॉट संख्या	क्षेत्र	सं. मा.ए.	विवरण	टिप्पणी
1	2	3	4	5	6	7	8	9
उत्तर प्रदेश	उत्तर काशी	गांव खवली सेरा (पुरोला के समीप)	उत्खनित क्षेत्र	खसरा नं. 87, 90, 91, 115, 270, 274, 275, 276, 277, 278, 290, 291, 292, 293, 294, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 309, 310, 321, 322, 323, 324, 325, 326, 340, 341, 361, और खसरा नं. 88, 89, 92, 114, 116, 268, 271, 273, 279, 289, 308, 311, 312, 313, 320, 327, 339, 342 और 362 का भाग। जैसा नीचे पुनः प्रस्तुत स्थल रेखांक में दर्शाया है।	0.663	उत्तर: खसरा नं. 80, 81, 82, 83, 85, 86, 111, 112, 113, 117, 296, 295, और खसरा नं. 88, 89, 92, 114, 116, 271, 273 और 268 का शेष भाग। पूर्व: खसरा नं. 262, 263, 264 और 269, दक्षिण: खसरा नं. 281 और 375 और खसरा नं. 279, 289 और 362 का शेष भाग पश्चिम: खसरा नं. 307, 315, 319, 338, 343, 360, और खसरा नं. 308, 311, 312, 313, 320, 327, 339 और 342 का शेष भाग।	खसरा नं. 87 भाग (यहां पुनः प्रस्तुत 88 भाग 89, 90, 92, 114, 293, करना है) 294 और 315 सरकारी और शेष निजी स्वामित्व में हैं।	

रववाली सेरा जंवा में लहसैल-पुरेला-जिला उत्तर काशी, उत्तर प्रदेश
के उत्खनित क्षेत्र का स्थल मानचित्र



[सं. 2/35/88-एम.]

एम. सी. जोशी, महाविदेशक

New Delhi, the 26 February, 1992

(ARCHAEOLOGY)

S.O. 803.—Whereas the Central Government is of the opinion that the ancient site specified in the Schedule annexed hereto is of national importance;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two months notice of its intention to declare the said ancient site to be of national importance.

Any objection which may be received within a period of two months from the date of issue of this notification in the Official Gazette from any person interested in the said ancient site will be taken into consideration by the Central Government. The objection may be addressed to the Director General, Archaeological Survey of India, Janpath, New Delhi-110011.

SCHEDULE

State	District	Locality	Name of Monument	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9
Uttar Pradesh	Uttar-kashi	Village Khawli Sera (near Purela)	Excavated site	Khasra Nos. 87, 80, 81, 115, 270, 274, 275, 276, 277, 278, 290, 291, 292, 293, 294, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 309, 310, 321, 322, 323, 324, 325, 326, 340, 341, 361 and part of Khasra Nos. 88, 89, 92, 114, 116, 268, 271, 273, 275, 289, 308, 311, 312, 313, 320, 327, 339, 342 and 362 as shown in the site plan reproduced below.	0.663 Hectare	North: Khasra Nos. 80, 81, 82, 83, 85, 86, 111, 112, 113, 117, 296, 295 and remaining parts of Khasra Nos. 88, 89, 92, 114, 116, 271, 273 and 268. East: Khasra Nos. 262, 263, 264 and 269. South: Khasra Nos. 281, 375 and remaining part of Khasra Nos. 279, 289 and 362. West: Khasra Nos. 307, 315, 319, 338, 343, 360 and remaining part of K. Nos. 308, 311, 312, 313, 320, 327, 339 and 342.	Khasra Nos. 87, 88 Part, 89 Part, 90, 92, 114, 293, 294 and 313 Govt. and remaining are under private ownership.	

[No. 2/35/88-M]

M.C. JOSHI Director General

SITE PLAN OF EXCAVATED SITE AT VILLAGE MAWLI SERA TEHSIL PURUL,
DISTT UTTARKASHI (U.P.)

SCALE IN METERS



LIMITS OF PROTECTION — — —

[No. 2/35/88—M]

M.C. JOSHI, Director General

नई दिल्ली, 26 फरवरी, 1992

(पुरातत्व)

का. भा. 804.—केन्द्रीय सरकार की यह राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक राष्ट्रीय महत्व का है;

अतः अब, केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्वीय स्थल और प्रवेश अधिनियम, 1959 (1959 का 24) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की दो भाग की सूचना देती है।

केन्द्रीय सरकार इस अधिसूचना के राजपत्र में निकाले जाने की तारीख से दो मास की अवधि के भीतर उक्त प्राचीन संस्मारक में द्विपक्ष, किसी व्यक्ति से प्राप्त किसी आपत्ति पर विचार करेगी। आपत्तियाँ महाविदेशक, भारतीय पुरातत्व सर्वेक्षण, जनपथ, नई दिल्ली—110011 को भेजी जा सकती हैं।

अनुसूची

राज्य	जिला	परिक्षेत्र	संस्मारक/स्थल का नाम	संरक्षण के लिए शामिल किए जाने वाले राजस्व प्लॉट संख्या	क्षेत्र	सीमाएं
1	2	3	4	5	6	7
हिमाचल प्रदेश	सिरमौर	मानगढ़	शिवमंदिर	खसरा सं. 5, 6, 7, 8, 9 और 10	.016564 हेक्टर	उत्तर: खसरा सं. 1 पूर्व: खसरा सं. 1 और 14 दक्षिण: खसरा सं. 11 पश्चिम: खसरा सं. 4
स्वामित्व	टिप्पणियाँ					
8	9					
प्राइवेट						

[सं. 2/37/88-एम.]

एम. सी. जोशी, महाविदेशक

New Delhi, the 26th February, 1992

(ARCHAEOLOGY)

S.O. 804.—Whereas the Central Government is of the opinion that the ancient monument specified in the Schedule annexed hereto is of national importance;

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two months' notice of its intention to declare the said ancient monument to be of national importance.

Any objection which may be received within a period of two months from the date of the issue of this notification in the Official Gazette from any person interested in the said ancient monument will be taken into consideration by the Central Government. The objection may be addressed to the Director General, Archaeological Survey of India, Janpath, New Delhi-110001.

SCHEDULE

State	District	Locality	Name of Monument	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remark
1	2	3	4	5	6	7	8	9
Himachal Pradesh	Sirmaur	Mangarh	Siva Temple	Khasra numbers 5, 6, 7, 8, 9 and 10.	.016564 Hectares	North: Khasra No. 1 East:- Khasra Nos. 1 and 14 South:- Khasra No. 11 West:- Khasra No. 4.	Private	

[No. 2/37/88-M]

M.C. JOSHI, Director General

श्रम मंत्रालय

नई दिल्ली, 17 फरवरी, 1992

का.प्र. 805.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अन्वय में, केन्द्रीय सरकार फूड कारपोरेशन ऑफ इंडिया (पोर्ट ऑपरेशन्स) के प्रबन्धन के संबंध निम्नलिखित और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-2-92 को प्राप्त हुआ था।

[संख्या एन-42012/21/87-डी-II (बी)]

राजा लाल, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 17th February, 1992

S.O. 863.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial dispute Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Food Corporation of India (Port Operations) and their workmen, which was received by the Central Government on 17-2-1992.

[No. L-42012/21/87-D.II (B)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT
HYDERABAD

PRESENT :

Sri G. Krishna Rao, B.A., B.L. Industrial Tribunal.

Twenty Third day of January Nineteen Hundred Ninety Two

Industrial Dispute No. 40 of 1988

BETWEEN

The Workmen of Food Corporation of India, (Port Operations) Visakhapatnam. Petitioner/Workmen

AND

The Management of Food Corporation of India (Port Operation) Visakhapatnam Respondent/Management.

This case is coming for final hearing before me in the presence of Sri E. D. Nathan, President of the Council of A.P. Trade Unions and Vice President of the City Trade Union Council, Hyderabad for the workmen and Sri K. Satyanarayana Rao, Advocate for the Management and upon perusing the material papers on record and having stood over for consideration till this day, the Court passed the following :

AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Order No. L-42012/21/87-D.II (B) dated 24-3-1988 for adjudication of the dispute between the Management of Food Corporation of India (Port Operations) Visakhapatnam and their workmen setting forth the point for adjudication in the schedule appended thereto as follows :

"Whether the action of the management of Joint Manager (Port Operations), Food Corporation of India, Visakhapatnam in terminating Shri G. Narasimham from service with effect from 11-12-1979 is legal/justified? If not, to what relief the workman concerned is entitled?"

The said reference was registered as I. D. No. 40 of 1988 on the file of this Tribunal. After receiving the notices issued by this Tribunal, both parties put in their appearance and the petitioner filed claim statement on 4-5-1988 and the Respondent filed counter on 12-9-1988.

2. The averments of the claim statement filed by the Petitioner read as follows :

The Petitioner was employed as Gunny Clerk on daily wage rate of Rs. 27.84 on and from 21-6-1978 under the Respondent in connection with Import and Export business of the Food Corporation of India at Vizag : The Respondent has not issued any appointment order. However the factum of employment of petitioner is born out from the attendance register as also from the wages register maintained by the Respondent. The Respondent terminated the service of the petitioner on and with effect from 12-12-1979, without assigning any reason and without any notice and also in violation of the mandatory provision of Industrial Disputes Act. The petitioner along with other retrenched workers filed a suit O.S. No. 2053/79 on the file of IV Addl. Munsiff Magistrate, Visakhapatnam. The said suit was dismissed on 31-1-85 on the ground that, that Court has no jurisdiction. Subsequently the petitioner moved conciliation machinery of Central Government, thereby raising an industrial Dispute in respect of termination of the services of the petitioner. Consequent on the failure of conciliation the Central Government by its Order No. L-42012/21/87-D.II (B) dated 24-3-1988 made the following reference to this Honourable Tribunal for adjudication "Whether action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri C. Narasimham from service with effect from 12-12-79 is justified. If not to what relief the workman concerned is entitled?" The termination of service of the petitioner is retrenchment within the meaning of Section 2(oo) of the I. D. Act since the said termination does not fall within any of the excepted categories.

The petitioner further states that the petitioner has put in 240 days continuous service during the period of 12 calendar months to be counted back ward from the date of retrenchment namely 12-12-1979. The retrenchment of the petitioner is violative of the mandatory provisions contained in Section 25-F and Section 25-G and Rules 76 and 77 of the I. D. Act and the Industrial Disputes (Central) Rules in that :

- The Respondent has not given one month's notice in writing or pay in lieu thereof. There is no agreement between the petitioner and the management specifying a date for termination.
- The Respondent has not offered retrenchment compensation.
- Notice in Form P has not been issued or served on the Government of India, the Commissioner of Labour (Central) Asstt. Labour Commissioner (Central), Regional Labour Commissioner (Central) and the Employment Exchange, Visakhapatnam.
- The principle of last come first go method has not been followed.
- No seniority list has been put up on the notice board. In the absence of seniority list, it has not been possible for the petitioner to know as to whether in effecting retrenchment, seniority of petitioner has been overlooked and any of his juniors are retained in service.
- The Respondent has not assigned any reason for the retrenchment. After retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner, under Section 25-H read with Rule 78, it was mandatory for the Respondent to offer employment to the petitioner. No such offer was ever made by the Respondent to the petitioner. The Respondent has thus violated the said provisions also. The petitioner submits that the termination of the service of the petitioner is ab initio void, that there is no termination in the eye of law. And

that there is no cessation of master and servant relationship between the petitioner and the respondent. That being so, the petitioner is entitled to be reinstated into service with continuity of service, full back wages and all other attendant benefits. The petitioner respectfully submits that the petitioner is not employed anywhere. The petitioner therefore prays that this Hon'ble Tribunal may be pleased to pass an award directing the Respondent herein to reinstate the petitioner forthwith into service in the post of Gunny/Care Clerk with continuity of service, full back wages and all other attendant benefits including seniority and the benefits of increments and/or enhanced wages and bonus holding and declaring that the retrenchment of the petitioner is unjustified, illegal arbitrary and ab initio void.

3. The averments of the counter filed by the Respondent read as follows :

The Respondent herein does not admit any of the allegations made in the claim statement except those which are specifically admitted hereunder. The petitioner is put to strict proof of all the material allegations which are not so admitted hereunder. It is submitted that the petitioner was engaged as a casual Gunny Clerk on daily wages depending upon the exigencies of work. The petitioner never continuously worked under the Respondent. The petitioner was engaged on casual basis for 74 days in the year of 1978 and 22 days in the year of 1979. The petitioner never worked for 240 days continuously. As such the question of issuing one month's notice or retrenchment compensation as contemplated under Section 25(F) of the I. D. Act does not arise. The allegation that the Respondent terminated the services of the petitioner with effect from 12-12-79 without assigning any reason and without any notice and also in violation of the mandatory provisions of the I. D. Act is not true and correct. The Respondent could not engage the petitioner as casual labour due to non-availability of work. The allegations made in Para 7 of the claim statement are not true and correct. It is not correct to allege that the non-engagement of the services of the petitioner is retrenchment within the meaning of Section 2(oo) of the I. D. Act. The allegation that the petitioner has put in 240 days of continuous service during the period of 12 months to be counted back from the date of retrenchment namely 12-12-79 is not correct. As already stated the petitioner has worked only for 92 days during the period of 12 months to be counted back from the date of alleged retrenchment namely 12-12-1979. The non-engagement of the petitioner on casual basis from 12-12-1979 does not amount to retrenchment. The petitioner never worked continuously for 240 days. The allegation made in para 8 of the claim statement are not true and correct. As already stated the non-engagement of the petitioner who worked on casual basis intermittently after 12-12-1979 does not fall under the provisions of the Industrial Disputes Act. The Respondent has not violated the provisions of the Sections 25(F), 25(G), Rules 76 and 77 of the I. D. Act and I. D. Central Rules. The Respondent could not engage the petitioner due to non-availability of work. The allegation made that the Respondent has not assigned any reason for retrenchment is not true and correct. The petitioner could not be engaged as there was no work. The allegation made in Paras 9 to 11 are not true and correct. The allegation that after retrenchment of the petitioner the respondent has employed several workmen in the category of petitioner is not true and correct. No person was engaged as alleged by the petitioner. As already stated, as there is no termination of the services of the petitioner the question of termination of the petitioner is ab initio void does not arise. The petitioner is not entitled to reinstatement into service with continuity of service, full back wages and other attendant benefits as claimed by the petitioner. The petitioner was engaged purely on casual basis due to exigencies of work and the non-engagement

of the petitioner when there is no work does not attract Sections 25(F), (G) and (H) of the Industrial Disputes Act. Therefore the Respondent herein prays that this Hon'ble Court may be pleased to reject the reference and pass a nil award.

4. No witnesses were examined for the petitioner and the petitioner's side was closed. No documents were marked for the Petitioner. MW-1 was examined for the Respondent and the Respondent's side was closed. No documents were marked for the Respondent.

5. The Point for adjudication is whether the action of the Management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri G. Narsimham from service with effect from 11-12-1979 is justified? If not, to what relief the workman concerned is entitled?

6. POINT : The admitted facts of the case are that the Petitioner was engaged on daily wage rate in the Respondent Corporation and the Respondent stopped engaging the Petitioner from 11-12-1979 onwards. The contention of the Petitioner was that he was employed as Gunny Clerk on daily wage rate of Rs. 27.84 on and from 21-6-1978 and that date was not disputed by the Respondent. It is contended by the Petitioner that he worked continuously for more than 240 days within the period of 12 months prior to the date of his retrenchment and he was retrenched from service without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947 and therefore he is entitled for reinstatement. The contention of the Respondent was that the Petitioner never worked for 240 days in any calendar year and therefore the Petitioner is not entitled for reinstatement. It is admitted case of the Respondent that the Petitioner was dis-engaged w.e.f. 11-12-1979 though it is not admitted by the Respondent that it was retrenchment on the ground that the Petitioner was a daily rated worker appointed on casual basis. It cannot be disputed that even if the Petitioner was disengaged as a daily rated worker, it amounts to retrenchment if the Petitioner has established that he worked for more than 240 days continuously as per the provisions of Section 25-B of the I. D. Act and that he was retrenched without complying with the provisions of Section 25-F of the I. D. Act, he is entitled for reinstatement. The question that falls for consideration in this case is whether the petitioner worked for 240 days continuously within the period of 12 months prior to the date of his retrenchment as contended by him and if so, whether he is entitled for reinstatement.

7. The case of the Respondent in the counter was that the petitioner was engaged on casual basis for 74 days in the year of 1978 and 92 days in the year of 1979 and that the Petitioner never worked for 240 days continuously MW-1 during the course of his evidence stated that in 1978 the Petitioner worked for a total period of 24 days and in 1979 he worked for 92 days and that from 1980 onwards there was no work and they never engaged anybody as Gunny Clerk. Though the Attendance Register and the Wages Register are available in the custody of the Respondent, the Respondent did not choose to produce the said registers to establish its contention that the Petitioner worked for certain days only in the years 1978 and 1979 as contended in the counter and as spoken to by MW-1 in his evidence. There is a discrepancy with regard to the number of days the petitioner worked in the year 1978. According to the contents of the counter, the Petitioner worked for 24 days in the year 1978 and according to the evidence of MW-1, the Petitioner worked for 24 days in the year 1978. It is in the evidence of MW-1 that he is deposing on the basis of records. It is to be deemed that the counter should have also been prepared on the basis of the record. As stated above, admittedly the petitioner worked for 74 days in the year 1978 and according to the evidence of MW-1 the petitioner worked for 24 days in the year 1978 and both the statements were made on the basis of the records i.e. it must be on the basis of the Attendance Register and Wages Register which were not produced into Court though available with the Respondent. So the inevitable inference is that the records of the Respondents are speaking two versions with regard to the number of days the petitioner worked in the year 1978 or it is to be presumed that the Respondent is not forthcoming

with the real facts of the case in view of the deliberate discrepancy that is brought on record as pointed out by me earlier in the counter and the evidence of MW-1 with regard to the number of days the petitioner worked in the year 1978. The case of the Respondent was that the Petitioner worked for 92 days in the year 1979 to establish that the Petitioner did not work for more than 240 days continuously during the period of 12 months prior to the date of the retrenchment. The Respondent did not produce the documentary evidence available in the Attendance Register and Wages Registers which are admittedly in the custody of the Respondent and admittedly MW-1 deposed on the basis of the records as stated by him. It is elicited during the course of cross examination of MW-1 that he did not file the calculation memo which they prepared, that all the Attendance Register and Wage Registers are maintained by them only and that the workers attendance will be marked by them in the Attendance Register. It is also elicited during the course of cross examination of MW-1 that they did not file and get marked the Attendance Registers for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dated 7-7-1979 in M.P. No. 168/88 and that they produced the Register of wages also. As seen from the Order dated 7-7-1989 in M.P. No. 168/88 the petition was allowed. It is in the evidence of MW-1 that they did not file and get marked the Attendance Register for the year 1979-80, but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dated 7-7-1989 in M.P. No. 168/88 and that they produced the Register of Wages also. As seen from the list of documents failed on behalf of the Respondent into Court are (1) Register showing particulars of engagement of Gear Clerk, Gunny Clerk and Gunny Watchman for the months of October, November, December 1979 upto March; 1980. (2) Attendance and Wage payment particulars of Gunny Clerks during 1976 to 1980, (3) File bearing No. DO/Stevedoring/76-77 statement showing the particulars of engagement of gunny grade clerks, during the period 1976 and 1977, (4) Statement showing the particulars of gear clerks, gunny clerks engaged by FCI during 1978 and (5) Statement showing the particulars of attendance of gear clerks and Gunny clerks from 1-7-1989 to 30-11-1979 and the same were taken back without marking the same as exhibits on 22-10-1990 on which date MW-1 last deposed in the Court. As seen from the notice in M.P. No. 168/88 five documents namely (1) Attendance Register pertaining to Gunny Clerks and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (2) Register of Wages relating to Gunny and Gear Clerks for the period from 1-1-1976 to 31-12-1979 (3) Work Statements I, II and III of Gunny and Gear Clerks for the above period, (4) Bonus Register of Gunny Clerks and Gear Clerks for the aforesaid period, and (5) Award dated 8-4-1980 passed in I. D. No. 19/77 by the Central Industrial Tribunal, Hyderabad. As seen from the list of documents filed by the Respondent, the documents required by the Petitioner to be produced in M.P. No. 168/88 were not produced and some statements prepared by the Respondent were produced into Court by the Respondent as per Memo filed by the Respondent into Court. So the evidence of MW-1 that they produced the documents as per the Order dated 7-7-1989 in M.P. No. 168/88 as required by the Petitioner is not correct and acceptable in view of the documents mentioned in M.P. No. 168/88 were not produced into Court evidently as seen from the list of documents filed by the Respondent into Court. So it is clear from the record available in this case that the documents required by the petitioner to be produced into Court by the Respondent in M.P. No. 168/88 and ordered by the Court to be produced were not produced by the Respondent into Court. If really the said Registers were produced into Court as deposed by MW-1 the Respondent would have marked the same to establish its case that the Petitioner never worked for more than 240 days continuously within a period of 12 months prior to the date of retrenchment as against the contention raised by the Petitioner that he worked continuously for more than 240 days and so an adverse inference is to be drawn against the Respondent to the fact that the Respondent did not get the documents produced into Court marked on behalf of the Respondent as the contents thereof are adverse to the case of the Respondent and that had they been marked it would have been established from those documents that the Petitioner worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and there-

fore the Respondent did not mark those documents on its behalf. As stated by me earlier, the Respondent failed to produce the documents as required by the Petitioner in M.P. No. 168/88. The non-production of the documents as required by the Petitioner which are within the custody of the Respondent and which would disclose the real facts with regard to the actual number of days the petitioner worked within the period of 12 months prior to the date of his retrenchment, leads to the inference that the Respondent did not produce the said documents as required by the Petitioner and kept them back as the said documents would establish the case of the Petitioner that he worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent intentionally kept back the said documents without producing the same into Court in spite of the specific orders passed by this Court in M.P. No. 169/88 on 7-7-1989, the Respondent is aware of the fact that the said documents are adverse to its case. The non-production of the said documents by the Respondent into Court goes against the propriety of the case of the Respondent particularly when a specific plea was taken by the Respondent that the Petitioner did not work for more than 240 days within the period of 12 months prior to the date of his retrenchment as contended by the Petitioner and the documentary evidence to prove the said facts is admittedly within the custody of the Respondent. So in view of the evidence available on record, I hold that the Petitioner worked for more than 240 days continuously as contemplated under Section 25-B of the I. D. Act. Once it is established that the Petitioner worked for more than 240 days continuously within the period 12 months prior to the date of his disengagement, it amounts to retrenchment as defined under Section 2(a) of the I. D. Act. So the retrenchment without complying with the provisions of Section 25-F of the I. D. Act is bad in law and consequently the petitioner is entitled for reinstatement.

8. The next question that falls for consideration is whether the Petitioner is entitled for reinstatement with full back wages for the entire period, it is the admitted case of the Petitioner as per the averments in the Petition that the petitioner along with other workers filed a suit in O.S. No. 2053/79 on the file of the IV Additional Munsiff Magistrate, Visakhapatnam, that that suit was dismissed on 31-1-1985 on the ground that that the Court had no jurisdiction, that subsequently the petitioner moved the conciliation machinery of the Central Government thereby raising industrial dispute in respect of the termination of the services of the Petitioner. So it is clear from the averments of the claim statement that the petition did not choose the correct forum to canvas his rights in as much as he approached the Civil Court as stated by him in the claim statement and the matter was pending in the Civil Court till 31-1-1985 and thereafter only he approached the Conciliation Officer. Admittedly the Petitioner and other retrenched workers approached the Advocate and got filed O.S. No. 2053/79 on the file of IV Additional Munsiff Magistrate, Visakhapatnam for the relief of reinstatement. So under the circumstances it cannot be said that the Petitioner approached the Civil Court due to ignorance of law. On the other hand it is to be noted that ignorance of law is no excuse. So taking these circumstances into consideration, I am of opinion that the Petitioner cannot claim back wages from date of his retrenchment till he approached the correct forum i.e. Conciliation Officer i.e. till some time after 31-1-1985 on which date S.O. No. 2053/79 was dismissed and the back wages till the date the petitioner moved the conciliation proceedings cannot be granted to the petitioner in this case as it is due to his own fault, the conciliation proceedings could not be initiated and therefore the Respondent cannot be burdened with the payment of back wages for that period. There is no evidence brought on record that the Petitioner was engaged as or appointed elsewhere during the period from the date the conciliation proceedings were initiated. Therefore in view of my above discussion, I hold that the Petitioner is entitled for back wages from the date the conciliation proceedings were initiated. Hence I answer the point accordingly holding that the Petitioner is entitled for reinstatement with back wages from the date the conciliation proceedings were initiated till the date of his reinstatement.

9. In the result, an Award is passed directing the Respondent to reinstate the Petitioner into service forthwith, with back wages from the date the conciliation proceedings were

initiated till the date of reinstatement. The Respondent is further directed to Pay the back wages as ordered within one month from the date of publication of this Award failing which the Petitioner is entitled to realise the same with interest at 12 percent per annum from the date of publication of this Award till the date of realisation. There will be no order as to costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 23rd day of January, 1992.

G. KRISHNA RAO, Industrial Tribunal

Appendix of Evidence

Witnesses examined
for the Petitioner :

NIL

Witnesses examined
for the Petitioner :

Witnesses examined
for the Respondent

M.W.J.—I. No. Murthy.

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 17 फरवरी, 1992

का. प्र. 806.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) के धारा 17 के अनुसरण में, केन्द्रीय सरकार फूड कॉर्पोरेशन प्रा. लि. (पोर्ट ऑपरेशन्स) के प्रबन्धन के संबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधीकरण, हैदराबाद के पंचर का प्रकाशित करता है जो केन्द्रीय सरकार का 17-2-92 को प्राप्त हुआ था।

[संख्या एन-42012/47-87- के II (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 17th February, 1992

S.O. 806—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Government Industrial Tribunal Hyderabad, as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Food Corporation of India (Port Operations) and their workmen, which was received by the Central Government on the 17-2-92.

[No. I-42012/47/87-D-II(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

Present :

Sri G. Krishna Rao, B.A., B.L., Industrial Tribunal.

TWENTY THIRD DAY OF JANUARY NINETEEN HUNDRED NINETY ONE

INDUSTRIAL DISPUTE NO. 34 OF 1988

BETWEEN

The Workmen of Food Corporation of India (Port Operations) Visakhapatnam (A.P.)—Petitioner

AND

The Management of Food Corporation of India (Port Operations) Bisakhapatnam—Respondent.

This case is coming for final hearing before me in the presence of Sri E. D. Nathan, President of the Council of A.P. Trade Unions and Vice President of the City Trade Unions Council, Hyderabad for the workmen and Sri K. Satyanarayana Rao, Advocate for the Management and upon perusing the material papers on record and having stood over for consideration till this day, the Court passed the following :

AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Order No. L-42012/47/87-D.II(B) dt. 24-3-1988 for adjudication of the dispute between the Management of Food Corporation of India (Port Operations) and their workman setting forth the point for adjudication appended thereto as follows :

"Whether the action of the Management of Joint Manager (Port Operations) Food Corporation of India Visakhapatnam in terminating Sri M. Apparao, ex-gunny clerk from service with effect from 12-12-79 is legal/justified ? If not, to what relief the workman concerned is entitled to ?"

The said reference was registered as I. D. No. 34 of 1988 on the file of this Tribunal. After receiving the notices issued by this Tribunal, both parties put in their appearance and the petitioner filed claim statement on 4-5-1988 and the Respondent filed counter on 12-9-1988.

1. The averments of the claim statement filed by the Petitioner read as follows :

The Petitioner was employed as Care Clerk on daily wage rate of Rs. 27.84ps. on and from 25-11-1977 under the Respondent in connection with Import and Export business of the Food Corporation of India at Vizag. The Respondent has not issued any appointment order. However the factum of employment of petitioner is born out from the attendance register as also from the wages register maintained by the Respondent. The Respondent terminated the service of the petitioner on and with effect from 12-12-79, without assigning any reason and without any notice and also in violation of the mandatory provisions of Industrial Disputes Act. The petitioner along with other retrenched workers filed a suit in O. S. No. 2053/79 on the file of IV Addl. Munsiff Magistrate, Visakhapatnam. The said suit was dismissed on 31-1-85 on the ground that that Court has no jurisdiction. Subsequently the petitioner moved conciliation machinery of the Central Government, thereby raising a Industrial dispute in respect of termination of the services of the Petitioner. Consequent on the failure of conciliation the Central Government by its order No. L-42012/47/87-D.II(B) dt. 24-3-1988 made the following reference to this Honourable Tribunal for adjudication "Whether action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri M. Appa Rao from service with effect from 12-12-79 is justified ? "If not to what relief the workman concerned is entitled to ?" The termination of service of the petitioner is retrenchment within the meaning of Section 2(oo) of the I. D. Act since the said termination does not fall within any of the excepted categories. The petitioner further states that the petitioner has put in 240 days continuous service during the period of 12 calendar months to be counted backward from the date of retrenchment, namely 12-12-79. The retrenchment of the petitioner in violation of the mandatory provisions contained in Sec. 25-F and Sec. 25-G and Rules 76 and 77 of the I. D. Act and the Industrial Disputes (Central) Rules is that :—(a) The Respondent has not given one month's notice in writing or pay in lieu thereof. There is no agreement between the petitioner and the Management specifying a date for termination, (b) The Respondent had not offered retrenchment compensation, (c) Notice in Form P has not been issued or served on the Government of India, the Commissioner of Labour, (Central), Asst. Labour Commissioner (Central), Regional Labour Commissioner (Central) and the Employment Exchange, Visakhapatnam, (d) The Principle of last come first go method has not been followed. (e) No seniority list has been put upon the notice board. In the absence of seniority list, it has not been possible for the petitioner to know as to whether in effecting retrenchment, seniority of petitioner has been overlooked and any of his juniors are retained in service. (f) The

Respondent has not assigned any reasons for the retrenchment. After retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner, under Section 25-F read with Rule 78, it was mandatory for the respondent to offer re-employment to the petitioner. No such offer was ever made by the respondent to the petitioner. The Respondent has thus violated the said provisions also. The petitioner submits that the termination of the service of the petitioner is ab initio void, that there is no termination in the eye of law and that there is no cessation of master and servant relationship between the Petitioner and the respondent. That being so, the petitioner is entitled to be reinstated into service with continuity of service, full back wages and all other attendant benefits. The petitioner respectfully submits that the petitioner is not employed anywhere. The petitioner therefore prays that this Honourable Tribunal may be pleased to pass an award directing the Respondent herein to re-instate the petitioner forthwith into service in the post of Care Clerk with continuity of service, full back wages and all other attendant benefits including seniority and the benefit of increment and/or enhanced wages and bonus, holding and declaring that the retrenchment of the petitioner is unjustified illegal, arbitrary and ab initio void.

3. The averments of the counter filed by the Respondent read as follows :

The Respondent herein does not admit any of the allegations made in the claim statement except those which are specifically admitted hereunder. The petitioner is put to strict proof of all the material allegations which are not so admitted hereunder. It is submitted that the petitioner was engaged as a casual Gunny Clerk on daily wages depending upon the exigencies of work. The petitioner never continuously worked under the Respondent. The petitioner was engaged on casual basis for 21 days in the year of 1977, 210 days in the year of 1978 and 202 days in the year of 1979. The petitioner never worked for 240 days continuously. As such the question of issuing one month's notice or retrenchment compensation as contemplated under Section 25(F) of the I.D. Act does not arise. The allegation that the Respondent terminated the services of the petitioner with effect from 12-12-1979 without assigning any reason and without any notice and also in violation of the mandatory provisions of the I. D. Act is not true and correct. The Respondent could not engage the petitioner as casual labour due to non-availability of work. The allegations made in para 7 of the claim statement are not true and correct. It is not correct to allege that the non-engagement of the services of the petitioner is retrenchment within the meaning of Section 2(oo) of the I. D. Act. The allegation that the petitioner has put in 240 days of continuous service during the period of 12 months to be counted back from the date of retrenchment namely 12-12-1979 is not correct. As already stated the petitioner has worked only for 202 days during the period of 12 months to be counted back from the date of alleged retrenchment namely 12-12-1979, the non-engagement of the petitioner on casual basis from 12-12-1979 does not amount to retrenchment. The petitioner never worked continuously for 240 days. The allegations made in para 8 of the claim statement are not true and correct. As already stated the non-engagement of the petitioner who worked on casual basis intermittently after 12-12-1979 does not fall under the provisions of the Industrial Disputes Act. The Respondent has not violated the provisions of the Sections 25(F), 25(G), Rules 76 and 77 of the I. D. Act and I. D. Central Rules. The Respondent could not engage the petitioner due to non-availability of work. The allegations made that the respondent has not assigned any reason for retrenchment is not true and correct. The petitioner could not be engaged as there was no work. The allegations made in paras 9 to 11 are not true and correct. The allegations that after retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner is not true and correct. No person was engaged as alleged by the Petitioner. As already stated, as there is no termination of the services of the petitioner the question of termination of the petitioner is ab initio void does not arise. The petitioner is not entitled to reinstatement into service with continuity of service, full backwages and other attendant benefits as claimed by the Petitioner. The petitioner was engaged purely on casual basis due to exigencies of work and the non-engagement of the

petitioner when there is no work does not attract Sections 25(F), (G) and (H) of the Industrial Disputes Act. Therefore the Respondent herein prays that this Hon'ble Court may be pleased to reject the reference and pass a nil award.

4. None was examined for the petitioner and the petitioner's side was closed. No document was marked for the Petitioner. M.W. 1 was examined for the Respondent and the Respondent's side was closed. No document was marked for the Respondent.

5. The point for adjudication is whether the action of the Management of Food Corporation of India (Port Operations) visakhapatnam in terminating Sri M. Appa Rao ex-Gunny Clerk from service with effect from 12-12-1979 is legal/justified? If not, to what relief the workman concerned is entitled to?

6. POINT : The admitted facts of the case are that the petitioner was engaged on daily wage rate in the Respondent-Corporation and the Respondent stopped engaging the petitioner from 12-12-1979 onwards. The contention of the petitioner was that he was employed as Gunny Clerk on daily wage rate of Rs. 27.84ps on and from 25-11-1977 and that the date was not disputed by the Respondent. It is contended by the petitioner that he worked continuously for more than 240 days within the period of 12 months prior to the date of his retrenchment and he was retrenched from service without compliance with the provisions of Section 25-F of the Industrial Disputes Act, 1947 and therefore he is entitled for reinstatement. The contention of the Respondent was that the petitioner never worked for 240 days in any calendar year and therefore the petitioner is not entitled for reinstatement. It is admitted case of the Respondent that the petitioner was dis-engaged w.e.f. 12-12-1979 though it is not admitted by the Respondent that it was retrenchment on the ground that the petitioner was a daily rated worker appointed on casual basis. It cannot be disputed that even if the petitioner was dis-engaged as a daily rated worker, it amounts to retrenchment and if the petitioner has established that he worked for more than 240 days continuously as per the provisions of Section 25-B of the I. D. Act and he was retrenched without complying with the provisions of Section 25-F of the I. D. Act, he is entitled for reinstatement. The question that falls for consideration in this case is whether the petitioner worked for 240 days continuously within the period of 12 months prior to the date of his retrenchment as contended by him and if so whether he is entitled for reinstatement.

7. The case of the Respondent in the counter was that the petitioner was engaged on casual basis for 21 days in the year of 1977, 210 days in the year of 1978 and 202 days in the year 1979 and that the petitioner never worked for 240 days continuously. M.W. 1 during the course of his evidence stated that in 1977 the petitioner worked for a total period of 21 days, that in 1978 he worked for a total period of 210 days and that in 1979 he worked for a total period of 202 days and that from 1980 onwards there was no work and they never engaged anybody as Gunny Clerk. Though the Attendance Register and the Wages Register are available in the custody of the Respondent, the Respondent did not choose to produce the said registers to establish its contention that the petitioner worked for certain days only in the years 1977 to 1979 as contended in the counter and as spoken to by M.W. 1 in his evidence. The case of the Respondent was that the petitioner worked for 202 days in the year 1979 to establish that the petitioner did not work for more than 240 days continuously during the period of 12 months prior to the date of the retrenchment. The Respondent did not produce the documentary evidence available in the Attendance Register and Wages Register which are admittedly in the custody of the Respondent and admittedly M.W. 1 deposed on the basis of the records as stated by him. It is elicited during the course of cross-examination of M.W. 1 that he did not file the calculation memo which they prepared, that all the Attendance Registers and Wage Registers are maintained by them only and that the workers attendance will be marked by them in the Attendance Register. It is also elicited during the course of cross examination of M.W. 1 that they did not file and get marked the Attendance Registers for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and

that they were produced as per the Orders dt. 7-7-79 in M. P. No. 168/88 and that they produced the Register of Wages also. As seen from the order dt. 7-7-1989 in M. P. No. 169 of 1988 the petition was allowed. It is in the evidence of M.W. 1 that they did not file and got marked the Attendance Register for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dt. 7-7-1989 in M. P. No. 168/88 and that they produced the Register of Wages also. As seen from the list of documents filed on behalf of the Respondent in the Court are (1) Register showing particulars of engagement of Gear Clerk, Gunny Clerk and Gunny Watchman for the months of October, November, December, 1979 upto March 1980, (2) Attendance and Wage Payment particulars of Gunny Clerks during 1976 to 1980, (3) File bearing No. DO/Sievacloring/76-77 statement showing the particulars of engagement of gunny grade clerks, during the period 1976 and 1977, (4) Statement showing the particulars of gear clerks, gunny clerks engaged by FCI during 1978 and (5) Statement showing the particulars of Attendance of Gear Clerks and Gunny clerks from 1-7-79 to 30-11-1979 and the same were taken back without marking the same as exhibits on 22-10-1990 on which date M.W. 1 last deposed in the Court. As seen from the notice in M. P. No. 168/88 five documents namely (1) Attendance Registers pertaining to Gunny Clerks and Gear clerks for the period from 1-1-1976 to 31-12-1979, (2) Register of wages relating to Gunny and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (3) Work statements I, II and III of Gunny and Gear Clerks for the above period, (4) Bonus Register of Gunny Clerks and Gear Clerks for the aforesaid period and (5) Award dated 8-4-1980 passed in I.D. No. 19/77 by the Central Industrial Tribunal, Hyderabad. As seen from the list of documents filed by the Respondent, the documents required by the petitioner is to be produced in M.P. No. 168/88 were not produced and some statements prepared by the Respondent were produced into Court by the Respondent as per Memo filed by the Respondent into Court. So the evidence of M.W. 1 that they produced the documents as per the Order dt. 7-7-1989 in M.P. No. 168/88 as required by the Petitioner is not correct and acceptable in view of the documents mentioned in M. P. No. 168/88 were not produced into Court evidently as seen from the list of documents filed by the Respondent in the Court. So it is clear from the record available in this case that the documents required by the petitioner to be produced into Court by the Respondent in M. P. No. 168/88 and ordered by the Court to be produced were not produced by the Respondent into Court. If really the said Registers were produced into Court as deposed by M.W. 1, the Respondent would have marked the same to establish its case that the petitioner never worked for more than 240 days continuously within a period of 12 months prior to the date of retrenchment as against the contention raised by the petitioner that he worked continuously for more than 240 days and so an adverse inference is to be drawn against the Respondent to the fact that the Respondent did not get the documents produced into Court marked on behalf of the Respondent as the contents thereof are adverse to the case of the Respondent and that had they been marked it would have been established from those documents that the petitioner worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent did not marked those documents on its behalf. As stated by me earlier, the Respondent failed to produce the documents as required by the petitioner in M. P. No. 168/88. The non-production of the documents as required by the Petitioner which are within the custody of the Respondent and which would disclose the real facts with regard to the actual number of days the petitioner worked within the period of 12 months prior to the date of his retrenchment, leads to the inference that the Respondent did not produce the said documents as required by the petitioner and kept them back as the said documents would establish the case of the petitioner that he worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent intentionally kept back the said documents without producing the same into Court in spite of the specific orders passed by this Court in M.P. No. 168/88 on 7-7-1989 as the Respondent is aware of the fact that the said documents are adverse to its case. The non-production of the said documents by the Respondent into Court goes against the propriety of the case of the Respondent particularly when a specific plea was taken by the Res-

pondent that the petitioner did not work for more than 240 days within the period of 12 months prior to the date of his retrenchment as contended by the petitioner and the documentary evidence to prove the said facts is admittedly within the custody of the Respondent. So in view of the evidence available on record, I hold that the petitioner worked for more than 240 days continuously as contemplated under Section 25-B of the I.D. Act. Once it is established that the petitioner worked for more than 240 days continuously within the period of 12 months prior to the date of his disengagement, it amounts to retrenchment as defined under Section 2(a) of the I.D. Act. So the retrenchment without complying with the provisions of Section 25-F of the I. D. Act is bad in law and consequently the petitioner is entitled for reinstatement.

8. The next question that falls for consideration is whether the petitioner is entitled a reinstatement with full back wages for the entire period. It is the admitted case of the petitioner as per the averments in the petition that the petitioner along with other workers filed a suit in O.S. No. 2053/79 on the file of the IV Additional Munsiff Magistrate, Visakhapatnam, that that suit was dismissed on 31-1-1985 on the ground that the Court had no jurisdiction, that subsequently the petitioner moved the conciliation machinery of the Central Government thereby raising industrial dispute in respect of the termination of the services of the petitioner. So it is clear from the averments of the claim statement that the petitioner did not choose the correct forum to canvas his rights in as much as he approached the Civil Court as stated by him in the claim statement and the matter was pending in the Civil Court till 31-1-1985 and thereafter only he approached the Conciliation Officer. Admittedly the petitioner and other retrenched workers approached the Advocate and got filed O.S. No. 2053/79 on the file of IV Additional Munsiff Magistrate, Visakhapatnam for the relief of reinstatement. So under the circumstances it cannot be said that the petitioner approached the Civil Court due to ignorance of law. On the other hand it is to be noted that ignorance of law is no excuse. So taking these circumstances into consideration, I am of opinion that the petitioner cannot claim back wages from the date of his retrenchment till he approached the correct forum i.e. Conciliation Officer i.e. till some time after 31-1-85 on which date O.S. No. 2053/79 was dismissed and the back wages till the date the petitioner moved the conciliation proceedings cannot be granted to the petitioner in this case as it is due to his own fault, the conciliation proceedings could not be initiated and therefore the Respondent cannot be burdened with the payment of back wages for that period. There is no evidence brought on record that the petitioner was engaged or appointed elsewhere during the period from the date the conciliation proceedings were initiated. Therefore, in view of my above discussion, I hold that the petitioner is entitled for back wages from the date, the conciliation proceedings were initiated. Hence I answer the point accordingly holding that the petitioner is entitled for reinstatement with back wages from the date, the conciliation proceedings were initiated till the date of his reinstatement.

9. In the result, an Award is passed directing the Respondent to reinstate the petitioner into service forthwith, with back wages from the date the conciliation proceedings were initiated till the date of reinstatement. The Respondent is further directed to pay the back wages as ordered within one month from the date of publication of this Award failing which the petitioner is entitled to realise the same with interest at 12 percent per annum from the date of publication of this Award till the date of realisation. There will be no order as to costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 23rd day of January, 1992.

G. KRISHNA RAO, Industrial Tribunal

Appendix of Evidence.

Witnesses examined

for the Workmen

Witnesses examined for

the Management.

M.W. 1 I.N. Murthy.

Documents marked for the petitioner-workmen

NIL

Documents marked for the Respondent-Management

NIL

INDUSTRIAL TRIBUNAL

नई दिल्ली, 17 फरवरी, 1992

का. अ. 807.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रीय सरकार फूड कॉर्पोरेशन ऑफ इंडिया (पोर्ट ऑपरेशन्स) के प्रबन्धन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रतिक्रिया, हैदराबाद के पंचपट का प्रकाशित करने है, जो केन्द्रीय सरकार को 17/2/92 को प्राप्त हुआ था।

[संख्या एन-42012/8/87-ड. II(बी)]

राजा लाल, ईस्क अधिकारी

New Delhi, the 17th February, 1992

S.O. 807.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Government Industrial Tribunal Hyderabad as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Food Corporation of India (Post Operations) and their workmen, which was received by the Central Government on the 17-2-92.

[No. L-42012/8/87-D.II(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri G. Krishna Rao, B.A., B.L., Industrial Tribunal—
Twenty third day of January nineteen hundred ninety two
Industrial Dispute No. 35 of 1988

BETWEEN :

The Workmen of Food Corporation of India (Port
Operations), Visakhapatnam (A.P.) Petitioner.

AND

The Management of Food Corporation of India (Port
Operations) Visakhapatnam (A.P.) Respondent.

This case is coming for final hearing before me in the presence of Sri E. D. Nathan, President of the Council of A. P. Trade Unions and Vice President of the City Trade Unions Council, Hyderabad for the Workmen and Sri K. Satyanarayan Rao, Advocate for the Management and upon perusing the material papers on record and having stood over for consideration till this day, the Court passed the following :—

AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Order No. L-42012/8/87-D.II(B) dated 24-3-1988 for adjudication of the dispute between the Management of Food Corporation of India (Port Operations) and their workmen setting forth the point for adjudication in the schedule appended hereto as follows :—

“Whether the action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri Ch. Suryanarayana from service with effect from 12-12-79 is legal

justified ? If not, to what relief the workmen concerned is entitled to ?”

The said reference was registered as I.D. No. 35 of 1988 on the file of this Tribunal. After receiving the notices issued by this Tribunal, both parties put in their appearance and the Petitioner filed claim statement on 4-5-1988 and the Respondent filed counter on 12-9-1988.

2. The averments of the claim statement filed by the Petitioner as follows :

The Petitioner was employed as Gunny/Care clerk on daily wage rate of Rs. 27.84 on and from 29-8-76 under the Respondent in connection with Import and Export business of the Food Corporation of India at Vizag. The Respondent has not issued any appointment order. However the factum of employment of petitioner is born out from the attendance register as also from the wages register maintained by the Respondent. The Respondent terminated the service of the petitioner on and with effect from 12-12-79, without assigning any reason and without any notice and also in violation of the mandatory provision of the Industrial Disputes Act. The petitioner along with other retrenched workers filed a suit in O.S. No. 2053/79 on the file of IV Addl. Munsif Magistrate, Visakhapatnam. The said suit was dismissed on 31-1-86 on the ground that that Court has no jurisdiction. Subsequently the petitioner moved conciliation machinery of the Central Government, thereby raising the industrial dispute in respect of termination of the services of the petitioner. Consequent on the failure of conciliation the Central Government by its Order No. L-42012/8/87-D. II(B) dt. 24-3-1988 made the following reference to this Honourable Tribunal for adjudication :—

“Whether action of the management of Joint Manager (Port Operation) Food Corporation of India in terminating Sri Ch. Suryanarayana from service with effect from 12-12-79 is justified ? If not to what relief the workman concerned is entitled ?” The termination of service of the petitioner is retrenchment within the meaning of Sec. 2(oo) of the I.D. Act since the said termination does not fall within any of the excepted categories. The Petitioner further states that the petitioner has put in 240 days continuous service during the period of 12 calendar months to be counted backward from the date of retrenchment, namely 12-12-79. The retrenchment of the petitioner is violative of the mandatory provisions contained in Section 25-F and Section 25-C and Rules 76 and 77 of the I.D. Act and the Industrial Disputes (Central) Rules in that :

(a) The Respondent has not given one month's notice in writing or pay in lieu thereof. There is no agreement between the petitioner and the management specifying a date for termination (b). The Respondent has not offered retrenchment compensation (c) Notice in Form P has not issued or served on the Govt. of India, the Commissioner of Labour (Central), Asst. Labour Commissioner (Central) Regional Labour Commissioner (Central) and the Employment Exchange, Visakhapatnam. (d) The principles of last come first go method has not been followed. (e) No seniority list has been put upon the notice board. In the absence of seniority list, it has not been possible for the petitioner to know as to whether, in effecting retrenchment, seniority of Petitioner has been overlooked and any of his juniors are retained in service. (f). The Respondent has not assigned any reasons for the retrenchment. After retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner, under Section 25-H read with Rule 78, it was mandatory for the Respondent to offer re-employment to the petitioner. No such offer was ever made by the Respondent to the petitioner. The Respondent has thus violated the said provisions also. The petitioner submits that the termination of the service of the petitioner is ab initio void, that there is no termination in the eye of law, and that there is no cessation of master and servant relationship between the petitioner and the Respondent. That being so, the petitioner is entitled to be reinstated into service with continuity of service, full back wages and all other attendant benefits. The petitioner respectfully submits that the petitioner is not employed anywhere. The petitioner therefore prays that this Honourable

Tribunal may be pleased to pass an Award directing the respondent herein to re-instate the petitioner forth with into service in the post of Gunny Clerk with continuity of service, full back wages and all other attendant benefits including seniority and the benefit of increments and/or enhanced wages, and bonus, holding and declaring that the retrenchment of the petitioner is unjustified, illegal, arbitrary and ab initio void.

3. The averments of the counter filed by the Respondent read as follows :

The Respondent herein does not admit any of the allegations made in the claim statement except those which are specifically admitted hereunder. The petitioner is put to strict proof of all the material allegations which are not so admitted hereunder. It is submitted that the petitioner was engaged as a casual Gunny Clerk on daily wages depending upon the exigencies of work. The petitioner never continuously worked under the Respondent. The petitioner was engaged on casual basis for 107 in the year of 1976, 113 days in the year of 1977, 219 days in the year of 1978, 199 in the year 1979. The Petitioner never worked for 240 days continuously. As such the question of issuing one month's notice or retrenchment compensation as contemplated under Section 25(F) of the I.D. Act does not arise. The allegation that the Respondent terminated the services of the petitioner with effect from 12-12-1979 without assigning any reason and without any notice and also in violation of the mandatory provisions of the I.D. Act is not true and correct. The Respondent could not engage the petitioner as casual labour due to non-availability of work. The allegations made in para 7 of the claim statement are not true and correct. It is not correct to allege that the non-engagement of the services of the petitioner is retrenchment within the meaning of Section 2(oo) of the I.D. Act. The allegation that the petitioner has put in 240 days of continuous service during the period of 12 months to be counted back from the date of retrenchment namely 12-12-1979 is not correct. As already stated the petitioner has worked only for 199 days during the period of 12 months to be counted back from the date of alleged retrenchment namely 12-12-1979. The non-engagement of the petitioner on casual basis from 12-12-1979 does not amount to retrenchment. The petitioner never worked continuously for 240 days. The allegations made in para 8 of the claim statement are not true and correct. As already stated the non-engagement of the petitioner who worked on casual basis intermittently after 12-12-79 does not fall under the provisions of the Industrial Disputes Act. The Respondent has not violated the provisions of the Sections 25(F), 25(G), Rules 76 and 77 of the I.D. Act and I.D. Central Rules. The Respondent could not engage the petitioner due to non-availability of work. The allegation made that the Respondent has not assigned any reason for retrenchment is not true and correct. The petitioner could not be engaged as there was no work. The allegations made in paras 9 to 11 are not true and correct. The allegation that after retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner is not true and correct. No person was engaged as alleged by the Petitioner. As already stated, as there is no termination of the services of the petitioner the question of termination of the petitioner is ab initio void does not arise. The petitioner is not entitled to re-instatement into service with continuity of service, full back-wages and other attendant benefits as claimed by the Petitioner. The petitioner was engaged purely on casual basis due to exigencies of work and the non-engagement of the petitioner when there is no work does not attract Section 25(F), (G) and (H) of the Industrial Disputes Act. Therefore the Respondent herein prays that this Hon'ble Court may be pleased to reject the reference and pass a nil award.

4. None was examined for the petitioner and the petitioner's side was closed. No document was marked for the petitioner. M.W.1 was examined for the Respondent and the Respondent's side was closed. No document was mark for the Respondent.

5. The point for adjudication is whether the action of the Management of Food Corporation of India (Port Opera-

tions), Visakhapatnam in terminating Sri Ch. Suryanarayana from service with effect from 12-12-79 is legal/justified? If not, to what relief the workman concerned is entitled to?

6. Point.—The admitted facts of the case are that the Petitioner was engaged on daily wage rate in the Respondent-Corporation and the Respondent stopped engaging the Petitioner from 12-12-1979 onwards. The contention of the Petitioner was that he was employed as Gunny Clerk on daily wage rate of Rs. 27.84 ps. on and from 29-8-1976 and that the date was not disputed by the Respondent. It is contended by the Petitioner that he worked continuously for more than 240 days within the period of 12 months prior to the date of his retrenchment and he was retrenched from service without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947 and therefore he is entitled for reinstatement. The contention of Respondent was that the Petitioner never worked for 240 days in any calendar year and therefore the Petitioner is not entitled for reinstatement. It is admitted case of the Respondent that the Petitioner was dis-engaged w.e.f. 12-12-1979 though it is not admitted by the Respondent that it was retrenchment on the ground that the Petitioner was a daily rated worker appointed on casual basis. It cannot be disputed that even if the Petitioner was disengaged as a daily-rated worker, it amounts to retrenchment if the Petitioner has established that he worked for more than 240 days continuously as per the provisions of Section 25-B of the I.D. Act, and that he was retrenched without complying with the provision of Section 25-F of the I.D. Act, he is entitled for reinstatement. The question that falls for consideration in this case is whether the petitioner worked for 240 days continuously within the period of 12 months prior to the date of his retrenchment as contended by him and if so, whether he is entitled for reinstatement.

7. The case of the Respondent in the counter was that the Petitioner was engaged on casual basis for 107 days in the year 1976, 113 days in the year 1977, 219 days in the year 1978 and 199 days in the year 1979 and that the petitioner never worked for 240 days continuously. M.W.1 during the course of his evidence stated that in 1976 the petitioner worked for a total period of 107 days, in 1977 he worked for a total period of 113 days, in 1978 he worked for a total period of 219 days and in 1979 he worked for 199 days and that from 1980 onwards there was no work and they never engaged anybody as Gunny Clerk. Though the Attendance Register and the Wage Register are available in the custody of the Respondent, the Respondent did not choose to produce the said registers to establish its contention that the Petitioner worked for certain days only in the years 1976 to 1979 as contended in the counter and as spoken to by M.W.1 in his evidence. The case of the Respondent was that the Petitioner worked for 199 days in the year 1979 to establish that the Petitioner did not work for more than 240 days continuously during the period of 12 months prior to the date of the retrenchment. The Respondent did not produce the documentary evidence available in the Attendance Register and Wages register which are admittedly in the custody of the Respondent and admittedly M.W.1 deposed on the basis of the records as stated by him. It is elicited during the course of cross examination of M.W.1 that he did not file the calculation Memo which they prepared, that all the Attendance Register and Wage Registers are maintained by them only and that the workers attendance will be marked by them in the Attendance Register. It is also elicited during the course of cross examination of M.W.1 that they did not file and get marked the Attendance Register for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dt. 7-7-1989 in M.P. No. 168/88 and that they produced the Register of Wages also. As seen from the Order dt. 7-7-1989 in M.P. No. 168 of 1988 the petition was allowed. It is in the evidence of M.W.1 that they did not file and get marked the Attendance Register for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dt. 7-7-1989 in M.P. No. 168/88 and that they produced the Register of Wages also. As seen from the list of documents filed on behalf of the Respondent

into Court are (1) Register showing particulars of engagement of Gear Clerk, Gunny Clerk and Gunny Watchman for the months of October, November, December 1979 upto March, 1980, (2) Attendance and Wage payment particulars of Gunny Clerks during 1976 to 1980, (3), File bearing No. DO.Stevedoring.76-77 statement showing the particulars of engagement of gunny grade clerks, during the period 1976 and 1977, (4). Statement showing the particulars of gear clerks, gunny clerks engaged by FCI during 1978 and (5). Statement showing the particulars of attendance of Gear Clerks and Gunny Clerks from 1-7-1979 to 30-11-1979 and the same were taken back without marking the same as exhibits on 22-10-1990 on which date M.W.I last deposed in the Court. As seen from the notice in M.P. No. 168/88 five documents namely (1) Attendance Register pertaining to Gunny Clerks and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (2) Register of Wages relating to Gunny and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (3) Work Statements I, II and III of Gunny and Gear Clerks for the above period, (4) Bonus Register of Gunny Clerks and Gear Clerks for the aforesaid period and 5) Award dated 3-4-1980 passed in I.D. No. 19/77 by the Central Industrial Tribunal, Hyderabad. As seen from the list of documents filed by the Respondent, the documents required by the Petitioner to be produced in M.P. No. 168/88 were not produced and some statements prepared by the Respondent were produced into Court by the Respondent as per Memo filed by the Respondent into Court. So the evidence of M.W.I that they produced the documents as per the Order dt. 7-7-1989 in M.P. No 168/88 as required by the Petitioner is not correct and acceptable in view of the documents mentioned in M.P. No. 168/88 were not produced into Court evidently as seen from the list of documents filed by the Respondent into Court. So it is clear from the record available in this case that the documents required by the Petitioner to be produced into Court by the Respondent in M.P. No. 168/88 and ordered by the Court to be produced were not produced by the Respondent into Court. If really the said Registers were produced into Court as deposed by M.W.I, the Respondent would have marked the same to establish its case that the Petitioner never worked for more than 240 days continuously within a period of 12 months prior to the date of retrenchment, as against the contention raised by the Petitioner that he worked continuously for more than 240 days and so an adverse inference is to be drawn against the Respondent to the fact that the Respondent did not get the documents produced into Court marked on behalf of the Respondent as the contents thereof are adverse to the case of the Respondent and that had they been marked it would have been established from those documents that the Petitioner worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent did not marked those documents on its behalf. As stated by me earlier, the Respondent failed to produce the documents as required by the Petitioner in M.P. No. 168/88. The non-production of the documents as required by the Petitioner which are within the custody of the Respondent and which would disclose the real facts with regard to the actual number of days the Petitioner worked within the period of 12 months prior to the date of his retrenchment, leads to the inference that the Respondent did not produce the said documents as required by the Petitioner and kept them back as the said documents would establish the case of the Petitioner that he worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent intentionally kept back the said documents without producing the same into Court in spite of the specific orders passed by this Court in M.P. No. 169/88 on 7-7-1989 as the Respondent is aware of the fact that the said documents are adverse to its case. The non-production of the said documents by the Respondent into Court goes against the propriety of the case of the Respondent Particularly when a specific plea was taken by the Respondent that the Petitioner did not work for more than 240 days within the period of 12 months prior to the date of his retrenchment as contended by the Petitioner and the documentary evidence to prove the said facts is admittedly within the custody of the Respondent. So in view of the evidence available on record, I hold that the Petitioner worked for more than 240 days continuously as contemplated under Section 25-B of the I.D. Act. Once it is established that the Petitioner worked for

more than 240 days continuously within the period of 12 months prior to the date of his dis-engagement, it amounts to retrenchment as defined under Section 2(oo) of the I.D. Act. So the retrenchment without complying with the provisions of Section 25-F of the I.D Act is bad in law and consequently the Petitioner is entitled for reinstatement.

8. The next question that falls for consideration is whether the Petitioner is entitled for reinstatement with full back wages for the entire period. It is the admitted case of the Petitioner as per the averments in the petition that the Petitioner along with other workers filed a suit in S. O. S. No. 2053/79 on the file of the IV Additional Munsif Magistrate, Visakhapatnam, that that suit was dismissed on 31-1-1985 on the ground that the Court had no jurisdiction, that subsequently the petitioner moved the conciliation machinery of the Central Government thereby raising industrial dispute in respect of the termination of the services of the petitioner. So it is clear from the averments of the claim statement that the Petitioner did not choose the correct forum to canvas his rights in as much as he approached the Civil Court as stated by him in the claim statement and the matter was pending in the Civil Court till 31-1-1985 and thereafter only he approached the Conciliation Officer. Admittedly the Petitioner and other retrenched workers approached the Advocate and got filed O.S. No. 2053/79 on the file of IV Additional Munsif Magistrate, Visakhapatnam for the relief of retrenchment. So under the circumstances it cannot be said that the Petitioner approached the Civil Court due to ignorance of law. On the other hand it is to be noted that ignorance of law is no excuse. So taking these circumstances into consideration, I am of opinion that the Petitioner cannot claim back wages from the date of his retrenchment till he approached the correct forum i.e. Conciliation Officer i.e. till some time after 31-1-1985 on which date O.S. No. 2053/79 was dismissed and the back wages till the date the Petitioner moved the conciliation proceedings cannot be granted to the Petitioner in this case as it is due to his own fault, the conciliation proceedings could not be initiated and therefore the Respondent cannot be burdened with the payment of back wages for that period. There is no evidence brought on record that the Petitioner was engaged or appointed elsewhere during the period from the date the conciliation proceedings were initiated. Therefore, in view of my above discussion, I hold that the Petitioner is entitled for back wages from the date the conciliation proceedings were initiated. Hence I answer the point accordingly holding that the Petitioner is entitled for reinstatement with back wages from the date the conciliation proceedings were initiated till the date of his reinstatement.

9. In the result, an Award is passed directing the Respondent to reinstate the Petitioner into service forthwith, with back wages from the date the conciliation proceedings were initiated till the date of reinstatement. The Respondent is further directed to pay the back wages as ordered within one month from the date of publication of this Award failing which the petitioner is entitled to realise the same with interest at 12 per cent per annum from the date of publication of this Award till the date of realisation. There will be no order as to costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 23rd day of January, 1992.

G. KRISHNA RAO, Industrial Tribunal

Appendix of evidence

Witness examined

Witnesses examined

for the Petitioner.

for the Respondent.

NIL

M.W.I I. N. Murthy

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

INDUSTRIAL TRIBUNAL

नई दिल्ली, 17 फरवरी, 1992

कॉ.आ. 808.—प्रयोगिक विवाद अधिनियम, 1947 (1957 का 14) का धारा 17 के अधुषण में, केन्द्रिय सरकार फूड कॉरपोरेशन ऑफ इंडिया (पोर्ट ऑपरेशन्स) के प्रबन्धन के संबंध निषेजका और उनके कर्मचारों के बीच, आबुध में निषेज प्रयोगिक विवाद में केन्द्रिय सरकार प्रयोगिक अधिनियम, हैदराबाद के प्रबन्धन को प्रभावित करने है, जो केन्द्रिय सरकार को 17-2-92 को प्राप्त हुआ था।

[सं. एन-42012/9/87 ड-II (बी)]

राजा राजा, डेस्क अधिकारी

New Delhi, the 17th February, 1992

S.O. 808.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Government Industrial Tribunal, Hyderabad as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Food Corporation of India (Port Operations) and their workmen, which was received by the Central Government on the 17-2-92.

[No. L-42012/9/87-D.II(B)]

RAJALAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri G. Krishna Rao, B.A., B.L., Industrial Tribunal.

23rd Day of January, 1992

INDUSTRIAL DISPUTE NO. 33 OF 1988

BETWEEN :

The Workmen of Food Corporation of India (Port Operations), Visakhapatnam (A.P.)—Petitioner

AND

The Management of Food Corporation of India, (Port Operations), Visakhapatnam (A.P.)—Respondent

This case is coming for final hearing before me in the presence of Sri E. D. Nathan, President of the Council of A. P. Trade Unions and Vice President of the City Trade Unions Counsel, Hyderabad for the workmen and Sri K. Satyanarayana Rao, Advocate for the Management and upon perusing the material papers on record and having stood over for consideration till this day, the Court passed the following :

AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Order No. L-42012/9/87-D-II(B) dt. 24-3-1988 for adjudication of the dispute between the Management of Food Corporation of India (Port Operations) and their Workmen setting forth the point for adjudication appended thereto as follows :

"Whether the action of the management of Food Corporation of India (Port Operation), Visakhapatnam in terminating Sri R. Subba Rao from service with effect from 12-12-1979 is justified ? If not, to what relief the workman concerned is entitled ?"

The said reference was registered as I. D. No. 33 of 1988 on the file of this Tribunal. After receiving the notices issued by this Tribunal, both parties put in their appearance and the petitioner filed claim statement on 4-5-1988 and the Respondent filed counter on 12-9-1988.

547 G/92-9

2. The averments of the claim statement filed by the Petitioner read as follows :

The Petitioner was employed as gunny clerk on daily wage rate of Rs. 27.84 ps on and from 30-1-1976 under the Respondent in connection with import and export business of the Food Corporation of India at Vizag. The Respondent has not issued any appointment order. However the factum of employment of petitioner is born out from the attendance register as also from the wage register maintained by the Respondent. The Respondent terminated the service of the petitioner on and with effect from 12-12-1979 without assigning any reason and without any notice and also in violation of the mandatory provisions of Industrial Dispute Act. The Petitioner along with other retrenched workers filed a suit in O. S. No. 2053/79 on the file IV Addl. Munsif Magistrate, Visakhapatnam. That suit was dismissed on 31-1-85 on the ground that that Court had no jurisdiction. Subsequently the Petitioner moved conciliation machinery of the Central Government thereby raising an Industrial dispute in respect of termination of the service of the petitioner. Consequent on the failure of conciliation the Central Government by its order L-42012/9/87-D.II(B) dt. 24-3-1988 made the following reference to this Honourable Tribunal for adjudication "Whether action of the management of Joint Manager (Port Operation) Food Corporation of India, Visakhapatnam in terminating Sri R. Subba Rao from service with effect from 12-12-79 is justified "If not to what relief the workman concerned is entitled". The termination of service of the Petitioner is retrenchment within the meaning of Sec. 2(oo) of the I. D. Act since the said termination does not fall within any of the excepted categories. The petitioner further states that the Petitioner has put in 240 days continuous service during the period of 12 calendar months to be counted back were from the date of retrenchment, namely 12-12-79. The retrenchment of the petitioner is violative of the mandatory provisions contained in Sec. 25-F, and Sec. 25-G and Rules 76 and 77 of the I. D. Act and the Industrial Disputes (Central) Rules is that : (a) The Respondent has not given one month's notice in writing or Pay in lieu thereof. There is no agreement between the Petitioner and the management specifying a date for termination. (b) The Respondent had not offered retrenchment compensation. (c) Notice in Form P has not been issued or served on the Government of India, the Commissioner of Labour, (Central), Asst. Labour Commissioner (Central), Regional Labour Commissioner (Central) and the Employment Exchange, Visakhapatnam. (d) The Principle of last come first go method has not been followed. (e) No seniority list has been put up, on the notice board. In the absence of seniority list, it has not been possible for the petitioner to know as to whether in effecting retrenchment, seniority of petitioner has been overlooked and any of his Juniors are retained in service. (f) The Respondent has not assigned any persons for the retrenchment. After retrenchment of the Petitioner the Respondent has employed several workmen in the category of Petitioner, under Section 25-H read with Rule 78, it was mandatory for the Respondent to offer re-employment to the Petitioner. No such offer was ever made by the Respondent to the petitioner. The Respondent has thus violated the said provisions also. The Petitioner submits that the termination of the service of the Petitioner is ab-initio void, that there is no termination in the eye of law and that there is no cessation of master and servant relationship between the petitioner and the respondent. That being so, the petitioner is entitled to be reinstated into service with continuity of service, full back wages and all other attendant benefits. The petitioner respectfully submits that the petitioner is not employed anywhere. The petitioner therefore prays that this Honourable Tribunal may be pleased to pass an award directing the respondent herein to re-instate the Petitioner forthwith into service in the post of Gunny/Care Clerk with continuity of service, full back wages and all other attendant benefits including seniority and the benefit of increment and/or enhanced wages and bonus, holding and declaring that the retrenchment of the petitioner is unjustified, illegal, arbitrary and ab initio void.

3. The averments of the counter filed by the Respondent read as follows :

The Respondent herein does not admit any of the allegations made in the claim statement except those which are specifically admitted hereunder. The petitioner is put to

strict proof of all the material allegations which are not so admitted hereunder. It is submitted that the petitioner was engaged as a casual gunny clerk on daily wages depending upon the exigencies of work. The Petitioner never continuously worked under the respondent. The petitioner was engaged on casual basis for 181 days in the year of 1976 and 77 days in the year of 1977, 309 days in the year of 1978, 156 days in the year of 1979. The petitioner never worked for 240 days continuously. As such the question of issuing one month's notice or retrenchment compensation as contemplated under Section 25(F) of the I. D. Act does not arise. The allegation that the respondent terminated the services of the petitioner with effect from 12-12-1979 without assigning any reason and without any notice and also in violation of the mandatory provisions of the I. D. Act is not true and correct. The Respondent could not engage the petitioner as casual labour due to non-availability of work. The allegations made in para 8 of the claim statement are not true and correct. It is not correct to allege that the non-engagement of the services of the petitioner is retrenchment within the meaning of Section 2(oo) of the I. D. Act. The allegation that the petitioner has put in 240 days of continuous service during the period of 12 months to be counted back from the date of retrenchment namely 12-12-1979 is not correct. As already stated the petitioner has worked only for 156 days during the period of 12 months to be counted back from the date of alleged retrenchment namely 12-12-1979. The non-engagement of the petitioner on casual basis from 12-12-1979 does not amount to retrenchment. The petitioner never worked continuously for 240 days. The allegations made in para 8 of the claim statement are not true and correct. As already stated the non-engagement of the petitioner who worked on casual basis intermittently after 12-12-1979 does not fall under the provisions of the Industrial Disputes Act. The Respondent has not violated the provisions of the Sections 25(F), 25(G) Rules 76 and 77 of the I. D. Act and I. D. Central Rules. The Respondent could not engage the petitioner due to non-availability of work. The allegations made that the respondent has not assigned any reason for retrenchment is not true and correct. The petitioner could not be engaged as there was no work. The allegations made in paras 9 to 11 are not true and correct. The allegations that after retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioners is not true and correct. No person was engaged as alleged by the petitioner. As already stated, as there is no termination of the services of the petitioner the question of termination of the petitioner is ab initio void does not arise. The petitioner is not entitled to reinstatement into service with continuity of service, full backwages and other attendant benefits as claimed by the petitioner. The petitioner was engaged purely on casual basis due to exigencies of work and the non-engagement of the petitioner when there is no work does not attract Section 25(F), (G) and (H) of the Industrial Disputes Act. Therefore the Respondent herein prays that this Hon'ble Court may be pleased to reject the reference and pass a nil award.

4. W.W.1 was examined for the Petitioner and the petitioner's side was closed. Ex. W1 was marked for the petitioner. M.W.1 was examined for the Respondent and the Respondent's side was closed. No documents were marked for the Respondent.

5. The point for adjudication is whether the action of the management of Food Corporation of India (Port Operations) Visakhapatnam in terminating Sri R. Subba Rao from service with effect from 12-12-1979 is justified? If not, to what relief the workman concerned is entitled?

6. POINT : The admitted facts of the case are that the Petitioner was engaged on daily wage rate in the Respondent-Corporation and the Respondent stopped engaging the petitioner from 12-12-1979 onwards. The contention of the Petitioner was that he was employed as Gunny Clerk on daily wage rate of Rs. 27.84ps. on and from 30-1-1976 and that the date was not disputed by the Respondent. It is contended by the Petitioner that he worked continuously for more than 240 days within the period of 12 months prior to the date of his retrenchment and he was retrenched from service without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947 and therefore he is entitled for reinstatement. The contention of the Respondent was that the Petitioner never worked for 240 days in any calendar year and therefore the Petitioner is not entitled for reinstatement. It is admitted case of the Respondent that the Petitioner was disengaged w.e.f. 12-12-1979

though it is not admitted by the Respondent that it was retrenchment on the ground that the Petitioner was a daily rated worker appointed on casual basis. It cannot be disputed that even if the Petitioner was disengaged as a daily rated worker, it amounts to retrenchment if the Petitioner has established that he worked for more than 240 days continuously as per the provisions of Section 25-B of the I.D. Act and that he was retrenched without complying with the provisions of Section 25-F of the I.D. Act, he is entitled for reinstatement. The question that falls for consideration in this case is whether the petitioner worked for 240 days continuously within the period of 12 months prior to the date of his retrenchment as contended by him and if so, whether he is entitled for reinstatement.

7. The case of the Respondent in the counter was that the Petitioner was engaged on casual basis on 181 days in the year 1976, 77 days in the year 1977, 309 days in the year 1978 and 156 days in the year 1979 and that the Petitioner never worked for 240 days continuously. M.W. 1 during the course of his evidence stated that in 1976 the Petitioner worked a total period of 181 days, that in 1977 he worked for a total period of 77 days, that in 1978 he worked for a total period of 209 days and in 1979 he worked for 156 days and that from 1980 onwards there was no work and they never engaged anybody as Gunny Clerk. Though Attendance Register and the Wages Register are available in the custody of the Respondent, the Respondent did not choose to produce the said registers to establish its contention, that the Petitioner worked for certain days only in the years 1976 to 1979 as contended in the counter and as spoke to by M.W. 1 in his evidence. There is a discrepancy with regard to the number of days the petitioner worked in the year 1978. According to the contents of the counter, the Petitioner worked for 309 days in the year 1978 and according to the evidence of M.W. 1 the Petitioner worked for 209 days in the year 1978. It is in the evidence of M.W. 1 that he is deposing on the basis of records. It is to be deemed that the counter should have also been prepared on the basis of the records. As stated above, admittedly the Petitioner worked for 309 days in the year 1978 and according to the evidence of M.W. 1 the Petitioner worked for 209 days in the year 1978 and both the statements were made on the basis of the records i.e. it must be on the basis of the Attendance Register and Wages Register which were not produced into Court though available with the Respondent. So the inevitable inference is that the records of the Respondent are speaking two versions with regard to the number of days the petitioner worked in the year 1978 or it is to be presumed that the Respondent is not forthcoming with the real facts of the case in view of the deliberate discrepancy that is brought on record as pointed out by me earlier in the counter and the evidence of M.W. 1 with regard to the number of days the Petitioner worked in the year 1978. The case of the Respondent was that the petitioner worked for 156 days in the year 1979 to establish that the Petitioner did not work for more than 240 days continuously during the period of 12 months prior to the date of the retrenchment. The Respondent did not produce the documentary evidence available in the Attendance Register and Wages Register which are admittedly in the custody of the Respondent and admittedly M.W. 1 deposed on the basis of the records as stated by him. It is elicited during the course of cross examination of M.W. 1 that he did not file the calculation memo which they prepared, that all the Attendance Register and Wage Registers are maintained by them only and that the workers attendance will be marked by them in the Attendance Register. It is also elicited during the course of cross examination of M.W. 1 that they did not file and get marked the Attendance Registers for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dt. 7-7-1989 in M.P. No. 168/88 and that they produced the Register of Wages also. As seen from the Order dt. 7-7-1989 in M.P. No. 168 of 1988 the petition was allowed. It is in the evidence of M.W. 1 that they did not file and get marked the Attendance Register for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dt. 7-7-1989 in M.P. No. 168/88 and that they produced the Register of Wages also. As seen from the list of documents filed on behalf of the Respondent into Court are (1) Register showing particulars of engagement of Gear Clerk, Gunny Clerk and Gunny Watchman for the months of October, November, Decem-

ber, 1979 upto March, 1980, (2) Attendance and Wage Payment particulars of Gunny Clerks during 1976 to 1980, (3) Fine bearing No. DO/Slavedoring/76-77 statement showing the particulars of engagement of gunny grade clerks, during the period 1976 and 1977 (4) Statement showing the particulars of gear clerks, gunny clerks engaged by FCI during 1976 and (5) statement showing the particulars of attendance of Gear Clerks and Gunny Clerks from 1-7-1979 to 30-11-1979 and the same were taken back without marking the same as exhibits on 11-10-1990 on which date M.W. 1 last deposed in the Court. As seen from the Notice in M.P. No. 168/88 five documents namely (1) Attendance Register pertaining to Gunny Clerks and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (2) Register of Wages relating to Gunny and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (3) Work Statements I, II and III of Gunny and Gear Clerks for the above period, (4) Bonus Register of Gunny Clerks and Gear Clerks for the aforesaid period and (5) Award dated 8-4-1980 passed in J.D. No. 19/77 by the Central Industrial Tribunal, Hyderabad. As seen from the list of documents filed by the Respondent, the documents required by the Petitioner to be produced in M.P. No. 168/88 were not produced and some statements prepared by the Respondent were produced into Court by the Respondent as per Memo filed by the Respondent into Court. So the evidence of M.W. 1 that they produced the documents as per the Order dt. 7-7-1989 in M.P. No. 168/88 as required by the Petitioner is not correct and acceptable in view of the documents mentioned in M.P. No. 168/88 were not produced into Court evidently as seen from the list of documents filed by the Respondent into Court. So it is clear from the record available in this case that the documents required by the Petitioner to be produced into Court by the Respondent in M.P. No. 168/88 and ordered by the Court to be produced were not produced by the Respondent into Court. If really the said Register were produced into Court as deposed by M.W. 1, the Respondent would have marked the same to establish its case that the Petitioner never worked for more than 240 days continuously within a period of 12 months prior to the date of retrenchment, as against the contention raised by the Petitioner that he worked continuously for more than 240 days and so an adverse inference is to be drawn against the Respondent to the fact that the Respondent did not get the documents produced into Court marked on behalf of the Respondent as the contents thereof are adverse to the case of the Respondent and that had they been marked it would have been established from these documents that the Petitioner worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent did not marked these documents on its behalf. As stated by me earlier, the Respondent failed to produce the documents as required by the Petitioner in M.P. No. 168/88. The non-production of the documents as required by the Petitioner which are within the custody of the Respondent and which would disclose the real facts with regard to the actual number of days the Petitioner worked within the period of 12 months prior to the date of his retrenchment, leads to the inference that the Respondent did not produce the said documents as required by the Petitioner and kept them back as the said documents would establish the case of the Petitioner that he worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent intentionally kept back the said documents without producing the same into Court in spite of the specific orders passed by this Court in M.P. No. 168/88 on 7-7-1989 as the Respondent is aware of the fact that the said documents are adverse to its case. The non-production of the said documents by the Respondent into Court goes against the propriety of the case of the Respondent particularly when a specific plea was taken by the Respondent that the Petitioner did not work for more than 240 days within the period of 12 months prior to the date of his retrenchment as contended by the Petitioner and the documentary evidence to prove the said facts is admittedly within the custody of the Respondent. So in view of the evidence available on record, I hold that the Petitioner worked for more than 240 days continuously as contemplated under Section 25-B of the I.D. Act. Once it is established that the Petitioner worked for more than 240 days continuously within the period of 12 months prior to the date of his dis-engagement, it amounts to retrenchment as

defined under Section 2(oo) of the I.D. Act. So the retrenchment without complying with the provisions of Section 25-F of the I. D. Act is bad in law and consequently the petitioner is entitled for reinstatement.

8. The next question that falls for consideration is whether the Petitioner is entitled for reinstatement with full back wages for the entire period. It is the admitted case of the Petitioner as per the averments in the petition that the Petitioner along with other workers filed a suit in O.S. No. 2053/79 on the file of the IV Additional Munsiff Magistrate, Visakhapatnam, that that suit was dismissed on 31st January, 1985 on the ground that that Court had no jurisdiction, that subsequently the petitioner moved the conciliation machinery of the Central Government thereby raising industrial dispute in respect of the termination of the services of the Petitioner. So it is clear from the averments of the claim statement that the Petitioner did not choose the correct forum to canvass his rights in as much as he approached the Civil Court as stated by him in the claim statement and the matter was pending in the Civil Court till 31st January, 1985 and thereafter only he approached the Conciliation Officer. Admittedly the petitioner and other retrenched workers approached the Advocate and got filed O.S. No. 2053/79 on the file of IV Additional Munsiff Magistrate, Visakhapatnam for the relief of reinstatement. So under the circumstances it cannot be said that the Petitioner approached the Civil Court due to ignorance of law. On the other hand it is to be noted that ignorance of law is no excuse. So taking these circumstances into consideration, I am of opinion that the Petitioner cannot claim back wages from the date of his retrenchment till he approached the correct forum i.e. Conciliation Officer i.e. till some time after 31st January, 1985 on which date O.S. No. 2053/79 was dismissed and the back wages till the date the petitioner moved the conciliation proceedings cannot be granted to the petitioner in this case as it is due to his own fault, the conciliation proceedings could not be initiated and therefore the Respondent cannot be burdened with the payment of back wages for that period. There is no evidence brought on record that the Petitioner was engaged or appointed elsewhere during the period from the date the conciliation proceedings were initiated. Therefore, in view of my above discussion, I hold that the Petitioner is entitled for back wages from the date the conciliation proceedings were initiated. Hence, I answer the point accordingly holding that the Petitioner is entitled for reinstatement with back wages from the date the conciliation proceedings were initiated till the date of his reinstatement.

9. In the result, an Award is passed directing the Respondent to reinstate the Petitioner into service forthwith, with back wages from the date the conciliation proceedings were initiated till the date of reinstatement. The Respondent is further directed to pay the back wages as ordered within one month from the date of publication of this award failing which the Petitioner is entitled to realise the same with interest at 12 per cent per annum from the date of publication of this Award till the date of realisation. There will be no order as to costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 23rd day of January, 1992.

Sd/-

G. KRISHNA RAO, Industrial Tribunal

Appendix of Evidence

Witnesses examined
for the Workmen

W.W. 1 R. Suba Rao

Witnesses examined,
for the Management.

M.W. 1 I. N. Murthy

Documents marked for the Workmen :

Ex. W1/14-7-77—Service Certificate dated 14th July, 1977 issued to R. Subba Rao by the Senior Assistant Manager (Docks) Food Corporation of India, Visakhapatnam.

Documents marked for the Respondent/Management :

NIL

Sd/-

Industrial Tribunal

नई दिल्ली, 17 फरवरी, 1992

का.घा. 809.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रिय सरकार गूड कारपोरेशन आफ इंडिया (पोर्ट ऑपरेशन्स) के प्रबन्धन के संबंध निम्नलिखित और उनके कर्मचारियों के बीच, अनुबंध में निविद्ध औद्योगिक विवाद में केन्द्रिय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशन करता है जो केन्द्रिय सरकार का 17-2-92 को प्राप्त हुआ था।

[संख्या एल 42012/48/87 डी II (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 17th February, 1992

S.O. 809.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Food Corporation of India (Port Operations) and their workmen, which was received by the Central Government on the 17-2-92.

[No. L-42012/48/87-D.II(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri G. Krishna Rao, B.A., B.L., Industrial Tribunal
Twenty Third day of January Nineteen Hundred Ninety two
Industrial Dispute No. 36 of 1988

BETWEEN:

The Workmen of Food Corporation of India (Port Operations), Visakhapatnam. A.P. —Petitioner.

AND

The Management of Food Corporation of India (Port Operations), Visakhapatnam (A.P.).—Respondent

This case is coming for final hearing before me in the presence of Sri E. D. Nathan, President of the Council of A.P. Trade Unions and Vice President of the City Trade Unions Council, Hyderabad for the workmen and Sri K. Satyanarayan Rao, Advocate for the Management and upon perusing the material papers on record and having stood over for consideration till this day, the Court passed the following :

AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Order No. L-42012/48/87-D.II(B) dt. 24-3-1988 for adjudication of the dispute between the Management of Food Corporation of India (Port Operations), Visakhapatnam and their Workmen setting forth the point for adjudication in the schedule appended thereto, as follows :

"Whether the action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri N. K. Ranga from service with effect from 12-12-1979 is legal/justified? If not, to what relief the workman concerned is entitled?"

The said reference was registered as I.D. No 36 of 1988 on the file of this Tribunal. After receiving the notices issued by this Tribunal, both parties put in their appearance and the petitioner filed claim statement on 4-5-1988 and the Respondent filed counter on 12-9-1988.

2. The averments of the claim statement filed by the Petitioner read as follows :

The petitioner was employed as Gunny/Care Clerk on daily wage rate of Rs. 27.84ps on and from 29-7-1978 under the Respondent in connection with Import and Export business of the Food Corporation of India at Vizag. The Respondent has not issued any appointment order. However the factum of employment of petitioner is born out from the attendance register as also from the wages register maintained by the Respondent. The Respondent terminated the service of the petitioner on and with effect from 12-12-79 without assigning any reason and without any notice and also in violation of the mandatory provision of the Industrial Disputes Act. The petitioner along with other retrenched workers filed a suit in O.S. No. 2053/79 on the file of IV Addl. Munsif Magistrate, Visakhapatnam. The said suit was dismissed on 31-1-85 on the ground that that Court has no jurisdiction. Subsequently the petitioner moved conciliation machinery of Central Government, thereby raising an industrial dispute in respect of termination of the services of the petitioner. Consequent on the failure of conciliation the Central Government by its Order No. L-42012/48/87, D.II(D) dt. 24-3-1988 made the following reference to this Honourable Tribunal for adjudication. "Whether action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri N. K. Ranga from service with effect from 12-12-79 is justified? If not to what relief the workman concerned is entitled?" The termination of service of the petitioner is retrenchment within the meaning of Section 2(cc) of the I.D. Act since the said termination does not fall within any of the excepted categories. The petitioner further states that the petitioner has put in 240 days continuous service during the period of 12 calendar months to be counted backward from the date of retrenchment, namely 12-12-79. The retrenchment of the petitioner is violative of the mandatory provisions contained in Sec. 25-F and Sec. 25-G and Rules 76 and 77 of the I.D. Act and the Industrial Disputes (Central) Rules in that (1) The Respondent has not given one month's notice in writing or pay in lieu thereof. There is no agreement between the petitioner and the management specifying a date for termination. (b) The Respondent has not offered retrenchment compensation. (c) Notice in Form P has not been issued or served on the Govt. of India, the Commissioner of Labour (Central) Asstt. Labour Commission (Central) Regional Labour Commissioner (Central) and the Employment Exchange, Visakhapatnam, (d) The principle of last come first go method has not been followed. (e) No seniority list has been put up on the notice board. In the absence of seniority list, it has not been possible for the petitioner to know as to whether, in affecting retrenchment, seniority of petitioner has been overlooked and any of his juniors are retained in service. (f) The Respondent has not assigned any reason for the retrenchment. After retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner, U/s. 25-H r/w Rule 78, it was mandatory for the Respondent to offer the employment to the petitioner. No such offer was ever made by the Respondent to the petitioner. The Respondent has thus violated the said provisions also. The petitioner submits that the termination of the service of the petitioner is ab initio void, that there is no termination in the eye of the law and that there is no cessation of master and servant relationship between the petitioner and the respondent. That being so, the petitioner is entitled to be reinstated into service with continuity of service, full back wages and all other attendant benefits. The petitioner respectfully submits that the petitioner is not employed anywhere. The petitioner therefore prays that this Hon'ble Tribunal may be pleased to pass an Award directing the Respondent herein to re-instate the petitioner forthwith into service in the post of Gunny/Care clerk with continuity of service, full back wages and all other attendant benefits including seniority and the benefits of increments and/or enhanced wages, and bonus, holding and declaring that the retrenchment of the petitioner is unjustified, illegal, arbitrary and ab initio void.

3. The averments of the counter filed by the Respondent read as follows :

The Respondents herein does not admit any of the allegations made in the claim statement except those which are specifically admitted hereunder. The petitioner is put to

strict proof of all the material allegations which are not so admitted hereunder. It is submitted that the Petitioner was engaged as a casual Gunny Clerk on daily wages depending upon the exigencies of work. The petitioner never continuously worked under the Respondent. The petitioner was engaged on casual basis for 157 days in the year 1978 and 158 days in the year of 1979. The petitioner never worked for 240 days continuously. As such the question of issuing one month's notice or retrenchment compensation as contemplated under Section 25(F) of the I.D. Act does not arise. The allegation that the Respondent terminated the services of the petitioner with effect from 12-12-1979 without assigning any reason and without any notice and also in violation of the mandatory provisions of the I.D. Act is not true and correct. The Respondent could not engage the petitioner as casual labour due to non-availability of work. The allegations made in para 7 of the claim statement are not true and correct. It is not correct to allege that the non-engagement of the services of the petitioner is retrenchment within the meaning of Section 2(oo) of the I. D. Act. The allegation that the petitioner has put in 240 days of continuous service during the period of 12 months to be counted back from the date of retrenchment namely 12-12-1979 is not correct. As already stated the petitioner has worked only for 158 days during the period of 12 months to be counted back from the date of alleged retrenchment, namely 12-12-1979. The non-engagement of the petitioner on casual basis from 12-12-1979 does not amount to retrenchment. The petitioner never worked continuously for 240 days. The allegations made in para 8 of the claim statement are not true and correct. As already stated the non-engagement of the petitioner who worked on casual basis intermittently after 12-12-1979 does not fall under the provisions of the Industrial Disputes Act. The Respondent has not violated the provisions of Sections 25(F), 25(G), Rules 76 and 77 of the I.D. Act and I.D. Central Rules. The Respondent could not engage the petitioner due to non-availability of work. The allegation made that the Respondent has not assigned any reason for retrenchment is not true and correct. The petitioner could not be engaged as there was no work. The petitioner made in paras 9 to 11 are not true and correct. The allegation that after retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner is not true and correct. No person was engaged as alleged by the petitioner. As already stated, as there is no termination of the services of the petitioner the question of termination of the petitioner is ab initio void does not arise. The petitioner is not entitled to reinstatement into service with continuity of service, full backwages and other attendant benefits as claimed by the petitioner. The petitioner was engaged purely on casual basis due to exigencies of work and the non-engagement of the petitioner when there is no work does not attract Sections 25(F), (G) and (H) of the Industrial Disputes Act. Therefore the Respondent herein prays that this Hon'ble Court may be pleased to reject the reference and pass a nil award.

4. No witnesses were examined for the petitioner and the Petitioner's side was closed. No documents were marked for the Petitioner. M.W.1 was examined for the Respondent and the Respondent's side was closed. No documents were marked for the Respondent.

5. The point for adjudication is whether the action of the Management of Food Corporation of India (Port Operations) Visakhapatnam in terminating Sri N. K. Ranga from service with effect from 12-12-1979 is legal/justified. If not, to what relief the workman concerned is entitled?

6. POINT:—The admitted facts of the case are that the Petitioner was engaged on daily wage rate in the Respondent Corporation and the Respondent stopped engaging the Petitioner from 12-12-1979 onwards. The contention of the Petitioner was that he was employed as Gunny Clerk on daily wage rate of Rs. 27.84 ps on and from 24-3-1978 and that date was not disputed by the Respondent. It is contended by the Petitioner that he worked continuously for more than 240 days within the period of 12 months prior to the date of his retrenchment and he was retrenched from service without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947 and therefore he is entitled for reinstatement. The contention of the Respondent was that the Petitioner never worked for 240 days in any calendar year and therefore the Petitioner is not entitled for reinstatement. It is admitted case of the Respondent that the Petitioner was disengaged w.e.f.

12-12-1979 though it is not admitted by the Respondent that it was retrenchment on the ground that the Petitioner was a daily rated worker appointed on casual basis. It cannot be disputed that even if the Petitioner was disengaged as a daily rated worker, it amounts to retrenchment if the Petitioner has established that he worked for more than 240 days continuously as per the provisions of Section 25-B of the I.D. Act and that he was retrenched without complying with the provisions of Section 25-F of the I.D. Act, he is entitled for reinstatement. The question that falls for consideration in this case is whether the petitioner worked for 240 days continuously within the period of 12 months prior to the date of his retrenchment as contended by him and if so whether he is entitled for reinstatement.

7. The case of the Respondent in the counter was that the Petitioner was engaged on casual basis for 157 days in the year 1978 and 158 days in the year 1979 and that the Petitioner never worked for 240 days continuously. M. W. 1 during the course of his evidence stated that in 1978 the petitioner worked for a total period of 157 days and in 1979 he worked for a total period of 158 days and that from 1980 onwards there was no work and they never engaged anybody as Gunny Clerk. Though the Attendance Register and the Wages Register are available in the custody of the Respondent, the Respondent did not choose to produce the said registers to establish its contention that the Petitioner worked for certain days only in the years 1978 and 1979 as contended in the counter and as spoken to by M.W.1 in his evidence. The case of the Respondent was that the Petitioner worked for 157 days in the year 1978 and 158 days in the year 1979 to establish that the Petitioner did not work for more than 240 days continuously during the period of 12 months prior to the date of the retrenchment. The Respondent did not produce the documentary evidence available in the Attendance Register and Wages register which are admittedly in the custody of the Respondent and admittedly M.W.1 deposed on the basis of the records as stated by him. It is elicited during the course of cross examination of M.W.1 that he did not file the calculation memo which they prepared, that all the Attendance Registers and wage Registers are maintained by them only and that the workers attendance will be marked by them in the Attendance Register. It is also elicited during the course of cross examination of M.W.1 that they did not file and get marked the Attendance Registers for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dt. 7-7-1989 in M.P. No. 168/88 and that they produced the Register of wages also. As seen from the Order dt. 7-7-1989 in M.P. No. 168/88 the petition was allowed. It is in the evidence of M.W.1 that they did not file and get marked the Attendance Register for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dt. 7-7-1989 in M.P. No. 168/88 and that they produced the Register of Wages also. As seen from the list of documents filed on behalf of the Respondent into Court are (1) Register showing particulars of engagement of Gear Clerk, Gunny Clerk and Gunny Watchmen for the months of October, November, December, 1979 upto March 1980, (2) Attendance and Wage Payment particulars of Gunny Clerks during 1976 to 1980, (3) File bearing No. DO/Stevedoring/76-77 statement showing the particulars of engagement of gunny grade clerks, during the period 1976 to 1977 (4) Statement showing the particulars of gear clerks, Gunny clerks engaged by FCI during 1978 and (5) Statement showing the particulars of attendance of Gear Clerks and Gunny from 1-7-1979 to 30-11-1979 and the same were taken back without making the same as exhibits on 22-10-1990 on which date M.W.1 last deposed in the Court. As seen from the notice in M.P. No. 168/88 five documents namely (1) Attendance Register pertaining to Gunny Clerks and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (2) Register of wages relating to Gunny and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (3) Work Statements I, II and III of Gunny and Gear Clerks for the above period, (4) Bonus Register of Gunny Clerks and Gear Clerks for the aforesaid period and (5) Award dated 8-4-1980 passed in ID. No. 19/77 by the Central Industrial Tribunal, Hyderabad. As seen from the list of documents filed by the Respondent, the documents required by the Petitioner to be produced

in M.P. No. 168/88 were not produced and some statements prepared by the Respondent were produced into Court by the Respondent as per Memo filed by the Respondent into Court. So the evidence of M.W.1 that they produced the documents as per the Order dt. 7-7-1989 in M.P. No. 168/88 as required by the Petitioner is not correct and acceptable in view of the documents mentioned in M.P. No. 168/88 were not produced into Court evidently as seen from the list of documents filed by the Respondent into Court. So it is clear from the record available in this case that the documents required by the Petitioner to be produced into Court by the Respondent in M.P. No. 168/88 and ordered by the Court to be produced were not produced by the Respondent into Court. If really the said Registers were produced into Court as deposed by M.W.1 the Respondent would have marked the same to establish its case that the Petitioner never worked for more than 240 days continuously within a period of 12 months prior to the date of retrenchment, as against the contention raised by the Petitioner that he worked continuously for more than 240 days and so an adverse inference is to be drawn against the Respondent to the fact that the Respondent did not get the documents produced into Court marked on behalf of the Respondent as the contents thereof are adverse to the case of the Respondent and that had they been marked it would have been established from those documents that the Petitioner worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent did not mark those documents on its behalf. As stated by me earlier, the Respondent failed to produce the documents required by the Petitioner in M.P. No. 168/88. The non-production of the documents as required by the Petitioner which are within the custody of the Respondent and which would disclose the real facts with regard to the actual number of days the petitioner worked within the period of 12 months prior to the date of his retrenchment, leads to the inference that the Respondent did not produce the said documents as required by the Petitioner and kept them back as the said documents would establish the case of the Petitioner that he worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent intentionally kept back the said documents without producing the same into Court in spite of the specific orders passed by this Court in M.P. No. 168/88 on 7-7-1989 as the Respondent is aware of the fact that the said documents are adverse to its case. The non-production of the said documents by the Respondent into Court goes against the propriety of the case of the Respondent particularly when a specific plea was taken by the Respondent that the Petitioner did not work for more than 240 days within the period of 12 months prior to the date of his retrenchment as contended by the petitioner and the documentary evidence to prove the said facts is admitted within the custody of the Respondent. So in view of the evidence available on record, I hold that the Petitioner worked for more than 240 days continuously as contemplated under Section 25-B of the I.D. Act. Once it is established that the petitioner worked for more than 240 days continuously within the period of 12 months prior to the date of his dis-engagement, it amounts to retrenchment as defined under Section 2(oo) of the I.D. Act. So the retrenchment without complying with the provisions of Section 25-F of the I.D. Act is bad in law and consequently the Petitioner is entitled for reinstatement.

8. The next question that falls for consideration is whether the petitioner is entitled for reinstatement with full back wages for the entire period. It is the admitted case of the petitioner as per the averments in the petition that the Petitioner along with other workers filed a suit in O.S. No. 2053/79 on the file of the IV Additional Munsiff Magistrate, Visakhapatnam, that that suit was dismissed on 31-1-1985 on the ground that that Court had no jurisdiction, that subsequently the petitioner moved the conciliation machinery of the Central Government and thereby raising industrial dispute in respect of the termination of the services of the Petitioner. So it is clear from the averments of the claim statement that the petitioner did not choose the correct forum to canvas his rights in as much as he approached the Civil Court as stated by him in the claim statement and the matter was pending in the Civil Court till 31-1-1985 and thereafter only he approached the Conciliation Officer. Admittedly the Petitioner and other retrenched workers approached the

Advocate and got filed O.S. No. 2053/79 on the file of IV Additional Munsiff Magistrate, Visakhapatnam for the relief of reinstatement. So under the circumstances, it cannot be said that the Petitioner approached the Civil Court due to ignorance of law. On the other hand it is to be noted that ignorance of law is no excuse. So taking these circumstances into consideration, I am of the opinion that the Petitioner cannot claim back wages from the date of his retrenchment till he approached the correct forum i.e. Conciliation Officer i.e. till some time after 31-1-1985 on which date O.S. No. 2053/79 was dismissed and the back wages till the date the petitioner moved the conciliation proceedings cannot be granted to the petitioner in this case as it is due to his own fault, the conciliation proceedings could not be initiated and therefore the Respondent cannot be burdened with the payment of back wages for that period. There is no evidence brought on record that the Petitioner was engaged or appointed elsewhere during the period from the date the conciliation proceedings were initiated. Therefore, in view of my above discussion, I hold that the Petitioner is entitled for back wages from the date the conciliation proceedings were initiated. Hence I answer the point accordingly holding that the Petitioner is entitled for reinstatement with back wages from the date the conciliation proceedings were initiated till the date of his reinstatement.

9. In the result, an Award is passed directing the Respondent to reinstate the Petitioner into service forthwith, with back wages from the date the conciliation proceedings were initiated till the date of reinstatement. The Respondent is further directed to pay the back wages as ordered within one month from the date of publication of this Award failing which the Petitioner is entitled to realise the same with interest at 12 percent per annum from the date of publication of this Award till the date of realisation. There will be no order as to costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 23rd day of January, 1992.

G. KRISHNA RAO, Industrial Tribunal

Appendix of evidence

Witnesses examined for the Petitioner.	Witnesses examined for the Respondent.
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NIL

M.W.1 I. N. Murthy.

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

INDUSTRIAL TRIBUNAL.

नई दिल्ली, 17 फरवरी, 1992

का.आ. 810—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार फूड कॉर्पोरेशन ऑफ इंडिया (पोर्ट ऑपरेशन्स) के प्रबन्धन के संबंध में निम्नलिखित और कार्यकारी के बीच, अनुबंध में निरदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंतप्रद को प्रकाशित करने है, जो केन्द्रीय सरकार को 17-2-92 को प्राप्त हुआ था।

[संख्या एन-42013/23/87 ई-II (सी)]

राजा लाल, हेड्स अधिकारी

New Delhi, the 17th February, 1992

S.O. 810.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Government Industrial Tribunal, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Food Corporation of India (Port Operations)

and their workmen, which was received by the Central Government on 17-2-1992.

[No. L-42012/23/87-D.II(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT:

Sri G. Krishna Rao, B.A., B.L., Industrial Tribunal.
Twenty Third Day of January Nineteen Hundred Ninety Two

Industrial Dispute No. 37 of 1988

BETWEEN

The Workmen of Food Corporation of India,
(Port Operations), Visakhapatnam (A.P.).

PETITIONER.

AND

The Management of Food Corporation of India,
(Port Operations) Visakhapatnam, A.P.

RESPONDENT.

This case is coming for final hearing before me in the presence of Sri E. D. Nathan, President of the Council of A.P. Trade Unions and Vice President of the City Trade Unions Council, Hyderabad for the Workmen and Sri K. Satyanarayana Rao, Advocate for the Management and upon perusing the material papers on record and having stood over for consideration till this day, the Court passed the following:

AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Order No. L-42012/23/87-D.II(B) dated 24-3-1988 for adjudication of the dispute between the Management of Food Corporation of India (Port Operations) and their Workmen setting forth the point for adjudication in the schedule appended thereto as follows:

"Whether the action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri A. Srinivas from service with effect from 11-12-1979 is legal/justified? If not, to what relief the workmen concerned is entitled to?"

The said reference was registered as I.D. No. 37 of 1988 on the file of this Tribunal. After receiving the notices issued by this Tribunal, both parties put in their appearance and the Petitioner filed claim statement on 4-5-1988 and the Respondent filed counter on 12-9-1988.

2. The averments of the claim statement filed by the Petitioner read as follows:

The Petitioner was employed as Gunny Clerk on daily wage rate of Rs. 27.84 ps on and from 22-5-1978 under the Respondent in connection with Import and Export business of the Food Corporation of India at Vizag. The Respondent has not issued any appointment Order. However the factum of employment of petitioner is born out from the attendance register as also from the wages register maintained by the Respondent. The Respondent terminated the services of the petitioner on and with effect from 12-12-1979 without assigning any reason and without any notice and also in violation of the mandatory provision of Industrial Disputes Act. The petitioner along with other retrenched workers filed a suit in C.S. No. 2053/79 on the file of IV Addl. Munsiff Magistrate, Visakhapatnam. The said suit was dismissed on 31-1-85 on the ground that the Court has no jurisdiction. Subsequently the petitioner moved conciliation machinery of Central Government, thereby raising an industrial dispute in respect of termination of the services of the petitioner. Consequently on the failure of conciliation the Central Government by its

Order No. L-42012/23/88-D.II(B) dated 24-3-1988 made the following reference to this Hon'ble Tribunal for adjudication "Whether action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam is terminated Sri A. Srinivasa from service with effect from 12-12-79 is justified. If not to what relief the workmen concerned is entitled?" The termination of service of the petitioner is retrenchment within the meaning Section 2(oo) of the I.D. Act since the said termination does not fall within any of the excepted categories. The petitioner further states that the Petitioner has put in 240 days continuous service during the period of 12 calendar months to be counted backward from the date of retrenchment namely 12-12-79. The retrenchment of the petitioner is violative of the mandatory provisions contained in Section 25-F and Section 25-G Rules 76 and 77 of the Industrial Disputes Act and the Industrial Disputes (Central) Rules in that:

(a) The Respondent has not given one months notice in writing or pay in lieu thereof. There is no agreement between the petitioner and the management specifying a date for termination. (b) The Respondent has not offered retrenchment compensation. (c) Notice in Form P has not been issued or served on the Government of India, the commissioner of Labour (Central) Asstt. Labour Commissioner (Central) Regional Labour Commissioner (Central) and the employment exchange, Visakhapatnam. (d) The Principle of last come first go method has not been followed. (e) No seniority list has been put up on the notice board. In the absence of seniority list, it has not been possible for the petitioner to know as to whether in effecting retrenchment, seniority of petitioner has been overlooked, and any of his juniors are retained in service. (f) The Respondent has not assigned any reason for the retrenchment. After retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner. Under Section 25-H read with Rule 78, it was mandatory for the Respondent to offer re-employment to the petitioner. No such offer was ever made by the Respondent to the petitioner. The Respondent has thus violated the said provisions also. The petitioner submits that the termination of the service of the petitioner is ab initio void, that there is no termination in the eye of law. And that there is no cessation of master and servant relationship between the petitioner and the Respondent. That being so, the petitioner is entitled to be reinstated into service with continuity of service, full back wages and all other attendant benefits. The Petitioner respectfully submits that the petitioner is not employed anywhere. The petitioner therefore prays that this Hon'ble Tribunal may be pleased to pass an award directing the respondent herein to reinstate the petitioner forthwith into service in the post of Gunny with continuity of service, full back wages and all other attendant benefits including seniority and the benefits of increments and/or enhanced wages and bonus. Holding and declaring that the retrenchment of the petitioner is unjustified, illegal, arbitrary and ab initio void.

3. The averments of the counter filed by the Respondent read as follows:

The Respondent herein does not admit any of the allegations made in the claim statement except those which are specifically admitted hereunder. The petitioner is put to strict proof of all the material allegations which are not so admitted hereunder. It is submitted that the petitioner was engaged as a casual gunny clerk on daily wages depending upon the exigencies of work. The Petitioner never continuously worked under the Respondent. The petitioner was engaged on casual basis for 100 days in the year 1978 and 117 days in the year of 1979. The petitioner never worked for 240 days continuously. As such the question of issuing one month's notice or retrenchment compensation as contemplated under Section 25(F) of the I.D. Act does not arise. The allegation that the Respondent terminated the service of the petitioner with effect from 12-12-1979 without assigning any reason and without any notice and also in violation of the mandatory provisions of the I.D. Act is not true and correct.

The respondent could not engage the petitioner as casual labour due to non-availability of work. The allegations made in para 7 of the claim statement are not true and correct. It is not correct to allege that the non-engagement of the services of the petitioner is retrenchment within the meaning of Section 2(o) of the I.D. Act. The allegation that the petitioner has put in 240 days of continuous service during the period of 12 months to be counted back from the date of retrenchment namely 12-12-1979 is not correct. As already stated the petitioner has worked only for 117 days during the period of 12 months to be counted back from the date of alleged retrenchment namely 12-12-1979. The non-engagement of the petitioner on casual basis from 12-12-1979 does not amount to retrenchment. The petitioner never worked continuously for 240 days. The allegations made in para 8 of the claim statement are not true and correct. As already stated the non-engagement of the petitioner who worked on casual basis intermittently after 12-12-1979 does not fall under the provisions of the Industrial Disputes Act. The Respondent has not violated the provisions of the Sections 25(F), 25(G), Rules 76 and 77 of the I.D. Act and I.D. Central Rules. The Respondent could not engage the petitioner due to non-availability of work. The allegation made that the Respondent has not assigned any reason for retrenchment is not true and correct. The petitioner could not be engaged as there was no work. The allegations made in paras 9 to 11 are not true and correct. The allegation that after retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner is not true and correct. No person was engaged as alleged by the Petitioner. As already stated, as there is no termination of the services of the petitioner the question of termination of the petitioner is ab initio void does not arise. The petitioner is not entitled to reinstatement into service with continuity of service, full back wages and other attendant benefits as claimed by the petitioner. The petitioner was engaged purely on casual basis due to exigencies of work and the non-engagement of the petitioner when there is no work does not attract Sections 25(F), (G) and (H) of the Industrial Disputes Act. Therefore the respondent herein prays that this Hon'ble Court may be pleased to reject the reference and pass a nil award.

4. No witnesses were examined for the petitioner and the Petitioner's side was closed. No documents were marked for the petitioner. M.W. 1 was examined for the Respondent and the Respondent's side was closed. No documents were marked for the Respondent.

5. The point for adjudication is whether the action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri A. Srinivas from service with effect from 11-12-1979 is legal/justified? If not, to what relief the workmen concerned is entitled to?"

6. POINT: The admitted facts of the case are that the Petitioner was engaged on daily wage rate in the Respondent-Corporation and the Respondent stopped engaging the Petitioner from 12-12-1979 onwards. The contentions of the Petitioner was that he was employed as Gunny Clerk on daily wage rate of Rs. 27.84 ps. on and from 22-5-1978 and that date was not disputed by the Respondent. It is contended by the Petitioner that he worked continuously for more than 240 days within the period of 12 months prior to the date of his retrenchment and he was retrenched from service without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947 and therefore he is entitled for reinstatement. The contention of the Respondent was that the Petitioner never worked for 240 days in any calendar year and therefore the Petitioner is not entitled for reinstatement. It is admitted case of the Respondent that the Petitioner was dis-engaged w.e.f. 12-12-1979 though it is not admitted by the Respondent that it was retrenchment on the ground that the Petitioner was a daily rated worker appointed on casual basis. It cannot be disputed that even if the Petitioner was disengaged as a daily rated worker, it amounts to retrenchment if the Petitioner has established that he worked for more than 240 days continuously as per the provisions of Section 25-B of the I.D. Act and that he was retrenched without complying with the provisions of Section 25-F of the I.D. Act, he is entitled for reinstatement. The question that falls for consideration in this case is whether the petitioner worked for 240 days continuously within the period of 12 months prior to the date of his retrenchment

as contended by him and if so whether he is entitled for reinstatement.

7. The case of the Respondent in the counter was that the petitioner was engaged on casual basis for 100 days in the year 1978 and 117 days in the year 1979 and that the Petitioner never worked for 240 days continuously. M.W. 1 during the course of his evidence stated that in 1978 the Petitioner worked for a total period of 100 days, in 1979 he worked for a total period of 117 days and that from 1980 onwards there was no work and they never engaged anybody as Gunny Clerk. Though the Attendance Register and the Wages Register are available in the custody of the Respondent, the Respondent did not choose to produce the said registers to establish its contention, that the Petitioner worked for certain days only in the years 1978 and 1979 as contended in the counter and as spoken to by M.W. 1 in his evidence. The case of the Respondent was that the Petitioner worked for 117 days in the year 1979 to establish that the Petitioner did not work for more than 240 days continuously during the period of 12 months prior to the date of the retrenchment. The Respondent did not produce the documentary evidence available in the Attendance Register and Wages Register which are admittedly in the custody of the Respondent and admittedly M.W. 1 deposed on the basis of the records as stated by him. It is elicited during the course of cross-examination of M.W. 1 that he did not file the calculation memo which they prepared, that all the Attendance Registers and Wages Registers are maintained by them only and that the workers attendance will be marked by them in the Attendance Register. It is also elicited during the course of cross-examination of M.W. 1 that they did not file and get marked the Attendance Registers for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dated 7-7-1989 in M.P. No. 168/88 and that they produced the Register of wages also. As seen from the order dated 7-7-1989 in M.P. No. 168 of 1988 the petition was allowed. It is in the evidence of M.W. 1 that they did not file and get marked the Attendance Register for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dated 7-7-89 in M.P. No. 168/88 and that they produced the Register of Wages also. As seen from the list of documents filed on behalf of the Respondent into Court are (1) Register showing particulars of engagement of Gear Clerk, Gunny Clerk and Gunny Watchmen for the months of October, November, December, 1979 upto March, 1980, (2) Attendance and Wage payment particulars of Gunny Clerks during 1976 to 1980, (3) File bearing No. DO/Stevedoring/76-77 statement showing the particulars of engagement of gunny grade clerks, during the period 1976 and 1977, (4) Statement showing the particulars of Gear clerks, Gunny Clerks engaged by FCI during 1978, and (5) Statement showing the particulars of attendance of Gear Clerks and Gunny Clerks from 1-7-79 to 30-11-79, and the same were taken back without marking the same as exhibits on 22-10-1990 on which date M.W. 1 last deposed in the Court. As seen from the notice in M.P. No. 168/88 five documents namely (1) Attendance Register pertaining to Gunny Clerks and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (2) Register of Wages relating to Gunny and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (3) Work Statements I, II and III of Gunny and Gear Clerks for the above period, (4) Bonus Register of Gunny Clerks and Gear Clerks for the aforesaid period, and (5) Award dated 8-4-1980 passed in I.D. No. 19/77 by the Central Industrial Tribunal, Hyderabad. As seen from the list of documents filed by the Respondent, the documents required by the Petitioner to be produced in M.P. No. 168/88 were not produced and some statements prepared by the Respondent were produced into Court by the Respondent as per Memo filed by the Respondent into Court. So the evidence of M.W. 1 that they produced the documents as per the Order dated 7-7-1989 in M.P. No. 168/88 as required by the Petitioner is not correct and acceptable in view of the documents mentioned in M.P. No. 168/88 were not produced into Court evidently as seen from the list of documents filed by the Respondent into Court. So it is clear from the record available in this case, that the documents required by the Petitioner to be produced into Court by the Respondent in M.P. No. 168/88 and ordered by the Court to be produced were not produced by the Respondent

into Court. If really the said Registers were produced into Court as deposed by M.W. 1, the Respondent would have marked the same to establish its case that the Petitioner never worked for more than 240 days continuously within a period of 12 months prior to the date of retrenchment, as against the contention raised by the Petitioner that he worked continuously for more than 240 days and so an adverse inference is to be drawn against the Respondent to the fact that the Respondent did not get the documents produced into Court marked on behalf of the Respondent as the contents thereof are adverse to the case of the Respondent and that had they been marked it would have been established from those documents that the petitioner worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent did not mark those documents on its behalf. As stated by me earlier, the Respondent failed to produce the documents as required by the Petitioner in M.P. No. 168/88. The non-production of the documents as required by the Petitioner which are within the custody of the Respondent and which would disclose the real facts with regard to the actual number of days the petitioner worked within the period of 12 months prior to the date of his retrenchment, leads to the inference that the Respondent did not produce the said documents as required by the Petitioner and kept them back as the said documents would establish the case of the Petitioner that he worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent intentionally kept back the said documents without producing the same into Court in spite of the specific orders passed by this Court in M.P. No. 168/88 on 7-7-1989 as the Respondent is aware of the fact that the said documents are adverse to its case. The non-production of the said documents by the Respondent into Court goes against the propriety of the case of the Respondent particularly when a specific plea was taken by the Respondent that the petitioner did not work for more than 240 days within the period of 12 months prior to the date of his retrenchment as contended by the Petitioner and the documentary evidence to prove the said facts is admittedly within the custody of the Respondent. So in view of the evidence available on record, I hold that the Petitioner worked for more than 240 days continuously as contemplated under Section 25-B of the I.D. Act. Once it is established that the Petitioner worked for more than 240 days continuously within the period of 12 months prior to the date of the disengagement, it amounts to retrenchment as defined under Section 2(oo) of the I.D. Act. So the retrenchment without complying with the provisions of Section 25-F of the I.D. Act is bad in law and consequently the petitioner is entitled for reinstatement.

8. The next question that falls for consideration is whether the petitioner is entitled for reinstatement with full back wages for the entire period. It is the admitted case of the Petitioner as per the averments in the petition that the Petitioner along with other workers filed a suit in O.S. No. 2053/79 on the file of the IV Additional Munsiff Magistrate, Visakhapatnam, that the suit was dismissed on 31-1-1985 on the ground that that Court has no jurisdiction, that subsequently the petitioner moved the conciliation machinery of the Central Government thereby raising industrial dispute in respect of the termination of the services of the Petitioner. So it is clear from the averments of the claim statement that the petitioner did not choose the correct forum to canvas his rights in as much as he approached the Civil Court as stated by him in the claim statement and the matter was pending in the Civil Court till 31-1-1985 and thereafter only he approached the Conciliation Officer. Admittedly the Petitioner and other retrenched workers approached the Advocate and got filed O.S. No. 2053/79 on the file of IV Additional Munsiff Magistrate, Visakhapatnam for the relief of reinstatement. So under the circumstances it cannot be said that the Petitioner approached the Civil Court due to ignorance of law. On the other hand it is to be noted that ignorance of law is no excuse. So taking these circumstances into consideration, I am of opinion that the Petitioner cannot claim back wages from the date of his retrenchment till he approached the correct forum i.e. Conciliation Officer i.e. till some time after 31-1-1985 on which date O.S. No. 2053/79 was dismissed and the back wages till the date the petitioner moved the conciliation proceedings cannot be granted to the Petitioner in this case as it is due to his own fault, the concilia-

tion proceedings could not be initiated and therefore the Respondent cannot be burdened with the payment of back wages for that period. There is no evidence brought on record that the Petitioner was engaged or appointed elsewhere during the period from the date the conciliation proceedings were initiated. Therefore, in view of my above discussion, I hold that the Petitioner is entitled for back wages from the date the conciliation proceedings were initiated. Hence I answer the point accordingly holding that the Petitioner is entitled for reinstatement with back wages from the date the conciliation proceedings were initiated till the date of his reinstatement.

9. In the result, an Award is passed directing the Respondent to reinstate the Petitioner into service forthwith, with back wages from the date the conciliation proceedings were initiated till the date of reinstatement. The Respondent is further directed to pay the back wages as ordered within one month from the date of publication of this Award failing which the Petitioner is entitled to realise the same with interest at 12 per cent per annum from the date of publication of this Award till the date of realisation. There will be no order as to costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 23rd day of January, 1992.

G. KRISHNA RAO, Industrial Tribunal

APPENDIX OF EVIDENCE

Witnesses examined

Witnesses examined

for the Petitioner.

for the Respondent.

NIL.

M.W. 1 I. N. Murthy.

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली 17 फरवरी, 1992

का.प्रा. 811.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार फूड कॉर्पोरेशन ऑफ इंडिया (पोर्ट ऑपरेशन्स) के प्रबन्धन के संबंध में निरीक्षणों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 17/2/92 को प्राप्त हुआ था।

[संख्या एन-42012/10/87-डी-II(बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 17th February, 1992

S.O. 811—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Food Corporation of India (Port Operations) and their workmen which was received by the Central Government on the 17-2-92.

[No. L-42012/10/87-D-II(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT:

Sri G. Krishna Rao, B.A., B.L., Industrial Tribunal.

Twenty Third day of January Nineteen Hundred

Ninety Two

Industrial Dispute No. 38 of 1988

BETWEEN

The Workmen of Food Corporation of India, (Port Operations) Visakhapatnam. Petitioner.

AND

The Management of Food Corporation of India, (Port Operations), Visakhapatnam. (A.P.). Respondent.

This case is coming for final hearing before me in the presence of Sri F. D. Nathan, President of the Council of A.P. Trade Unions and Vice President of the City Trade Unions Council, Hyderabad for the workmen and Sri K. Satyanarayan Rao, Advocate for the Management and upon perusing the material papers on record and having stood over for consideration till this day, the Court passed the following:

AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Order No. L-42012/10/87-D.II (B) dated 24-3-1988 for adjudication of the dispute between the Management of Food Corporation of India (Port Operations) Visakhapatnam and their workmen setting forth the point for adjudication in the schedule appended thereto as follows:

"Whether the action of the management of Joint Manager (Port Operations), Food Corporation of India, Visakhapatnam in terminating Sri V. Narasimha Rao from service with effect from 12-12-1979 is justified? If not, to what relief the workman concerned is entitled?"

The said reference was registered as I.D. No. 38 of 1988 on the file of this Tribunal. After receiving the notices issued by this Tribunal, both parties put in their appearance and the petitioner filed claim statement on 4-5-1988 and the Respondent filed counter on 12-9-1988.

2. The averments of the claim statement filed by the Petitioner read as follows:

The Petitioner was employed as Gunny Clerk on daily wage rate of Rs. 27.84 ps. on and from 7-1-1979 under the Respondent in connection with Import and Export business of the Food Corporation of India at Vizag. The Respondent has not issued any appointment order. However the factum of employment of petitioner is born out from the attendance register as also from the wages register maintained by the Respondent. The Respondent terminated the service of the petitioner on and with effect from 12-12-79, without assigning any reason, and without any notice and also in violation of the mandatory provisions of Industrial Dispute Act. The petitioner along with other retrenched workers filed a suit in O.S. No. 2053/79 on the file of IV Adil, Munsiff Magistrate, Visakhapatnam. The said suit was dismissed on 31-1-85 on the ground that that Court has no jurisdiction. Subsequently the Petitioner moved conciliation machinery of the Central Government, thereby raising an Industrial Dispute in respect of termination of the services of the Petitioner. Consequent on the failure of conciliation the Central Government by its order No. L-42012/10/87-D.II(B) dated 24-3-1988 made the following reference to this Honourable Tribunal for adjudication "Whether action of the management of Joint Manager (Port Operation) Food Corporation of India, Visakhapatnam in terminating Sri Narasimha Rao from service with effect from 12-12-79 is justified? If not to what relief the workman concerned is entitled?" The termination of service of the Petitioner is retrenchment within the meaning of Section 2(oo) of the I.D. Act since the said termination does not fall within any of the excepted categories. The Petitioner further states that the Petitioner has put in 240 days continuance service during the period of 12 calendar months to be counted backward from the date of retrenchment namely 12-12-79. The retrenchment of the petitioner is violative of the mandatory provisions contained in Sec. 25-F and Sec. 25-G and Rules 76 and 77 of the I.D. Act and the Industrial Disputes (Central) Rules

is that (a) The Respondent has not given one month's notice in writing or pay in lieu thereof. There is no agreement between the petitioner and the Management specifying a date for termination. (b) The Respondent has not offered retrenchment compensation. (c) Hence in Form P has not been issued or served on the Government of India, the Commissioner of Labour Central, Asst. Labour Commissioner (Central), Regional Labour Commissioner (Central) and the Employment Exchange, Visakhapatnam. (d) The Principle of last come first go method has not been followed. (e) No seniority list has been put up on the notice board. In the absence of seniority list, it has not been possible for the petitioner to know as to whether in effecting retrenchment, seniority of petitioner had been overlooked and any of his juniors are retained in service. (f) The Respondent has not assigned any reasons for the retrenchment. After retrenchment of the petitioner the Respondent has employed several workman in the category of Petitioner, under Section 25-H read with Rule 78, it was mandatory for the Respondent to offer re-employment to the Petitioner. No such offer was ever made by the Respondent to the petitioner. The Respondent has thus violated the said provisions also. The petitioner submits that the termination of the service of the Petitioner is ab initio void, that there is no termination in the eye of law and that there is no cessation of master and servant relationship between the petitioner and the Respondent. That being so, the petitioner is entitled to be reinstated into service with continuity of service, full back wages and all other attendant benefits. The petitioner respectfully submits that the petitioner is not employed anywhere. The petitioner therefore prays that this Honourable Tribunal may be pleased to pass an award directing the Respondent herein to reinstate the petitioner forthwith into service in the post of Gunny/Care Clerk with continuity of service, full back wages and all other attendant benefits including seniority and the benefit of increment and/or enhanced wages and bonus holding and declaring that the retrenchment of the petitioner is unjustified, illegal, arbitrary and ab initio void.

3. The averments of the counter filed by the Respondent read as follows:

The Respondent herein does not admit any of the allegations made in the claim statement except those which are specifically admitted hereunder. The petitioner is put to strict proof of all the material allegations which are not so admitted hereunder. It is submitted that the petitioner was engaged as a casual Gunny Clerk on daily wages depending upon the exigencies of work. The petitioner never continuously worked under the Respondent. The petitioner was engaged on casual basis for 96 days in the year of 1979. The petitioner never worked for 240 days continuously. As such the question of giving one month's notice or retrenchment compensation as contemplated under Section 25(F) of the I.D. Act does not arise. The allegation that the Respondent terminated the services of the petitioner with effect from 12-12-1979 without assigning any reason and without any notice and also in violation of the mandatory provisions of the I.D. Act is not true and correct. The Respondent could not engage the petitioner as casual labour due to non-availability of work. The allegation made in para 7 of the claim statement are not true and correct. It is not correct to allege that the non-engagement of the services of the petitioner is retrenchment within meaning of Section 2(oo) of the I.D. Act. The allegation that the petitioner has put in 240 days of continuous service during the period of 12 months to be counted back from the date of retrenchment namely 12-12-1979 is not correct. As already stated the petitioner has worked only for 96 days during the period of 12 months to be counted back from the date of alleged retrenchment namely 12-12-1979. The non-engagement of the petitioner on casual basis from 12-12-1979 does not amount to retrenchment. The petitioner never worked continuously for 240 days. The allegations made in para 8 of the claim statement are not true and correct. As already stated the non-engagement of the petitioner who worked on casual basis intermittently after 12-12-79 does not fall under the provisions of the Industrial Disputes Act. The Respondent has not violated the provisions of the Sections 25(F), 25(G), Rule 76 and 77 of the I.D. Act and I.D. Central Rules. The Respondent could not engage the petitioner due to non-availability of work. The allegations made that the Respondent has not assigned any reason for retrenchment is

not true and correct. The petitioner could not be engaged as there was no work. The allegations made in paras 9 to 11 are not true and correct. The allegation that after retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner is not true and correct. No person was engaged as alleged by the petitioner. As already stated, as there is no termination of the service of the petitioner the question of termination of the petitioner is ab initio void does not arise. The petitioner is not entitled to reinstatement into service with continuity of service, full back wages and other attendant benefits as claimed by the Petitioner. The Petitioner was engaged purely on casual basis due to exigencies of work and the non-engagement of the petitioner when there is no work does not attract Section 25(F), (G) and (H) of the Industrial Disputes Act. Therefore the respondent there in prays that this Hon'ble Court may please to reject the reference and pass a nil award.

4. No witness was examined for the Petitioner and the Petitioner's side was closed. No documents were marked for the Petitioner. M.W. 1 was examined for the Respondent and the Respondent's side was closed. No documents were marked for the Respondent.

5. The point for adjudication is whether the action of the management of Joint Manager (Port Operations), I. O. Corporation of India, Visakhapatnam in terminating Sri V. Narasinga Rao from service with effect from 12-12-1979 is justified? If not, to what relief the workman concerned is entitled?

6. POINT : The admitted facts of the case are that the Petitioner was engaged on daily wage rate in Respondent Corporation and the Respondent stopped engaging the Petitioner from 12-12-1979 onwards. The contention of the Petitioner was that he was employed as Gunny Clerk on daily wage rate of Rs. 27.84 ps on and from 7-1-1979 and that date was not disputed by the Respondent. It is contended by the Petitioner that he worked continuously for more than 240 days within the period of 12 months prior to the date of his retrenchment and he was retrenched from service without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947 and therefore he is entitled for reinstatement. The contention of the Respondent was that the Petitioner never worked for 240 days in any calendar year therefore the petitioner is not entitled for reinstatement. It is admitted case of the Respondent that the Petitioner was dis-engaged w.e.f. 12-12-1979 though it is not admitted by the Respondent that it was retrenchment on the ground that the Petitioner was a daily rated worker appointed on casual basis. It cannot be disputed that even if the Petitioner was disengaged as a daily rated worker, it amounts to retrenchment if the Petitioner has established that he worked for more than 240 days continuously as per the provisions of Section 25-B of the I.D. Act and that he was retrenched without complying with the provisions of Section 25-F of the I.D. Act, he is entitled for reinstatement. The question that falls for consideration in this case is whether the petitioner worked for 240 days continuously within the period of 12 months prior to the date of his retrenchment as contended by him and if so whether he is entitled for reinstatement.

7. The case of the Respondent in the counter was that the Petitioner was engaged on casual basis for 96 days in the year 1979 and that the Petitioner never worked for 240 days continuously. M.W. 1 during the course of his evidence stated that in 1979 the Petitioner worked for a total period of 96 days only and that from 1980 onwards there was no work and they never engaged anybody as Gunny Clerk. Though the Attendance Register and the Wages Register are available in the custody of the Respondent, the Respondent did not choose to produce the said registers to establish its contention that the Petitioner worked for certain days only in the years 1979 as contended in the counter and as spoken to by M.W.1 in his evidence. The case of the Respondent was that the Petitioner worked for 96 days in the year 1979 to establish that the Petitioner did not work for more than 240 days continuously during the period of 12 months prior to the date of the retrenchment.

The Respondent did not produce the documentary evidence available in the Attendance Register and Wages Register which are admittedly in the custody of the Respondent and admittedly M.W.1 deposed on the basis of the records as stated by him. It is elicited during the course of cross examination of M.W.1 that he did not file the calculation memo which they prepared, that all the Attendance Register and Wage Registers are maintained by them only and that the workers attendance will be marked by them in the attendance register. It is also elicited during the course of cross examination of M.W.1 that they did not file and get marked the Attendance Registers for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dated 7th July, 1989 in M.P. No. 168/88 and that they produced the Register of wages also. As seen from the Order dated 7th July, 1989 in M.P. No. 168 of 1988 the petition was allowed. It is in the evidence of M.W.1 that they did not file and get marked the Attendance Register for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dated 7th July, 1989 in M.P. No. 168/88 and that they produced the Register of Wages also. As seen from the list of documents filed on behalf of the Respondent into Court are (1) Register showing particulars of engagement of Gear Clerk, Gunny Clerk and Gunny Watchmen for the months of October, November, December, 1979 upto March, 1980, (2) Attendance and Wage payment particulars of Gunny Clerks during 1976 to 1980, (3) File bearing No. DO/Stevedoring/76-77 statement showing the particulars of engagement of gunny grade clerks during the period of 1976 to 1977, (4) Statement showing the particulars of gear clerks, gunny clerks engaged by FCI during 1978, and (5) Statement showing the particulars of attendance of Gear Clerks and Gunny Clerks from 1st July, 1979 to 30th November, 1979 and the same were taken back without marking the same as exhibits on 22nd October, 1990 on which date M.W.1 last deposed in the Court. As seen from the notice in M.P. No. 168/88 five documents namely : (1) Attendance Register pertaining to Gunny Clerks and Gear Clerks for the period from 1st January, 1976 to 31st December, 1979, (2) Register of wages relating to Gunny and Gear Clerks for the period from 1st January, 1976 to 31st December, 1979, (3) Work statements I, II & III of Gunny and Gear Clerks for the above period, (4) Bonus Register of Gunny Clerks and Gear Clerks for the aforesaid period and (5) Award dated 8th April, 1980 passed in I.D. No. 19/77 by the Central Industrial Tribunal, Hyderabad. As seen from the list of documents filed by the Respondent, the documents required by the Petitioner to be produced in M.P. No. 168/88 were not produced and some statements prepared by the Respondent were produced into Court by the Respondent as per Memo filed by the Respondent into Court. So the evidence of M.W.1 that they produced the documents as per the Order dated 7th July, 1989 in M.P. No. 168/88 as required by the Petitioner is not correct and acceptable in view of the documents mentioned in M.P. No. 168/88 were not produced into Court evidently as seen from the list of documents filed by the Respondent into Court. So it is clear from the record available in this case that the documents required by the Petitioner to be produced into Court by the Respondent in M.P. No. 168/88 and ordered by the Court to be produced were not produced by the Respondent into Court. If really the said Registers were produced into Court as deposed by M.W.1, the Respondent would have marked the same to establish its case that the Petitioner never worked for more than 240 days continuously within a period of 12 months prior to the date of retrenchment, as against the contention raised by the Petitioner that he worked continuously for more than 240 days and so an adverse inference is to be drawn against the Respondent to the fact that the Respondent did not get the documents produced into Court marked on behalf of the Respondent as the contents thereof are adverse to the case of the Respondent and that had they been marked it would have been established from those documents that the Petitioner worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent did not mark those documents on its behalf. As stated by me earlier, the Respondent failed to produce the documents as required by the Petitioner in M.P. No. 168/88. The non-production of the documents as required by the Petitioner which are within the custody of the Respondent and which would disclose the real facts with regard to the actual number of days the Petitioner worked

within the period of 12 months prior to the date of his retrenchment, leads to the inference that the Respondent did not produce the said documents as required by the Petitioner and kept them back as the said documents would establish the case of the Petitioner that he worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent intentionally kept back the said documents without producing the same into Court inspite of the specific orders passed by this Court in M.P. No. 168/88 on 7th July, 1989, as the Respondent is aware of the fact that the said documents are adverse to its case. The non-production of the said documents by the Respondent into Court goes against the propriety or the case of the Respondent particularly when a specific plea was taken by the Respondent that the Petitioner did not work for more than 240 days within the period of 12 months prior to the date of his retrenchment as contended by the Petitioner and the documentary evidence to prove the said facts is admittedly within the custody of the Respondent. So in view of the evidence available on record, I hold that the Petitioner worked for more than 240 days continuously as contemplated under Section 25-B of the I.D. Act. Once it is established that the Petitioner worked for more than 240 days continuously within the period of 12 months prior to the date of his disengagement, it amounts to retrenchment as defined under Section 2(oo) of the I.D. Act. So the retrenchment without complying with the provisions of Section 25-F of the I.D. Act is bad in law and consequently the petitioner is entitled for reinstatement.

8. The next question that falls for consideration is whether the Petitioner is entitled for reinstatement with full back wages for the entire period. It is the admitted case of the Petitioner as per the averments in the petition that the Petitioner along with other workers filed a suit in O.S. No. 2053/79 on the file of the IV Additional Munsiff Magistrate, Visakhapatnam, that that suit was dismissed on 31st January, 1985 on the ground that that Court had no jurisdiction, that subsequently the petitioner moved the conciliation machinery of the Central Government thereby raising industrial dispute in respect of the termination of the services of the Petitioner. So it is clear from the averments of the claim statement that the Petitioner did not choose the correct forum to canvas his rights in as much as he approached the Civil Court as stated by him in the claim statement and the matter was pending in the Civil Court till 31st January, 1985 and thereafter only he approached the Conciliation Officer. Admittedly the Petitioner and other retrenched workers approached the Advocate and got filed O.S. No. 2053/79 on the file of IV Additional Munsiff Magistrate, Visakhapatnam for the relief of reinstatement. So under the circumstances it cannot be said that the Petitioner approached the Civil Court due to ignorance of law. On the other hand it is to be noted that ignorance of law is no excuse. So taking these circumstances into consideration, I am of opinion that the Petitioner cannot claim back wages from the date of his retrenchment till he approached the correct forum i.e. Conciliation Officer i.e. till some time after 31st January, 1985 on which date O.S. No. 2053/79 was dismissed and the back wages till the date of the Petitioner moved the conciliation proceedings cannot be granted to the petitioner in this case as it is due to his own fault, the conciliation proceedings could not be initiated and therefore the Respondent cannot be burdened with the payment of back wages for that period. There is no evidence brought on record that the petitioner was engaged or appointed elsewhere during the period from the date the conciliation proceedings were initiated. Therefore, in view of my above discussion, I hold that the petitioner is entitled for back wages from the date the conciliation proceedings were initiated. Hence I answer the point accordingly holding that the petitioner is entitled for reinstatement with back wages from the date the conciliation proceedings were initiated till the date of his reinstatement.

9. In the result, an Award is passed directing the Respondent to reinstatement the Petitioner into service forthwith, with back wages from the date the conciliation proceedings were initiated till the date of reinstatement. The Respondent is further directed to pay the back wages as ordered within one month from the date of publication of this Award failing which the Petitioner is entitled to realise the same with interest at 12 per cent per annum from the date of publication of this Award till the date of realisation. There will be no order as to costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 23rd day of January, 1992.

G. KRISHNA RAO, Industrial Tribunal
Appendix of Evidence

Witnesses examined
for the Petitioner.

NIL.

Witnesses examined
for the Respondent.

M.W. I I. N. Murthy.

Documents marked for the Petitioner—NIL.

Documents marked for the Respondent—NIL.

Sd/-

Industrial Tribunal

नई दिल्ली, 17 फरवरी, 1992

का.प्र. 812—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रीय सरकार कुनुस्तोरिया कोलियरी प्राफ मैसर्स ई. सी. एल. के प्रबंधन के संबंध में निवेदनों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसंसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-2-92 को प्राप्त हुआ था।

[संख्या एल-22012/28/90-आई प्रार (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 17th February, 1992

S.O. 812—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Kunustoria colliery of M/s. E. C. Ltd. and their workmen, which was received by the Central Government on the 17-2-92.

[No. L-22012/28/90-IR (C.II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL, ASANSOL

Reference No. 16/90

PRESENT :

Shri N K. Saha,
Presiding Officer.

PARTIES :

Employers in relation to the Management of Kunustoria
Colliery of M/s. E.C. Ltd.

AND

Their Workman

APPEARANCES :

For the Employers.—Sri P. Banerjee, Advocate.
For the Workman.—Sri M. Mukherjee, Advocate.

INDUSTRY : Coal.

STATE : West Bengal.

Dated, the 6th February, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the

Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(28)/90-IR(C. II) dated the 23rd May, 1990.

SCHEDULE

"Whether the action of the management of Kunustoria Colliery of M/s. Eastern Coalfields Ltd., P. O. Toposi, Dist. Burdwan in dismissing Sri Ramji Kahar, Driller w.e.f. 20-6-88, is justified? If not, to what relief the workman concerned is entitled?"

2. The case of the management as made out in their written statement-cum-rejoinder filed on 12-11-90 is that Sri Ramji Kahar was a Driller of Kunustoria Colliery under M/s. Eastern Coalfields Ltd., in September, 1986. On 26-9-86 at about 1.20 p.m. Ramji Kahar along with Baban Singh, K. K. Mishra and some others entered in the office of the Executive Engineer (Civil) Sri Abhas Chandra Kar. Baban Singh picked out a revolver from his pocket and pointed it at the chest of Sri A. C. Kar and asked one Sri R. S. Pandey, Contractor to drop tender paper in the tender box and remarked that if tender be not accepted then they would kill Sri Kar. Thereafter they left the room.

At 1.30 p.m. Ramji Kahar along with Baban Singh, K. K. Mishra and other co-workers entered in the office of the Agent and created unpleasant situation and disorder.

For such misconduct the workman was served with a chargesheet dated 28/9-86 (Ext. M-1). The workman concerned submitted a written reply (Ext. M-2). The authority was not satisfied with the explanation given by the concerned workman. So the authority held a domestic enquiry against Ramji Kahar giving all opportunity to defend himself. Ramji Kahar participated in the domestic enquiry till 23-7-87 and thereafter he did not participate in the enquiry inspite of notice. So the enquiry was held ex parte. In the enquiry he was found guilty and on the result of the domestic enquiry he was rightly dismissed from service w.e.f. 20-6-88.

3. The union has filed written statement contending inter alia that the allegations made by the management are false. The workman has denied the allegation. The domestic enquiry was not properly and fairly held. The order of dismissal is unfair. The punishment imposed is disproportionate with the alleged offence.

4. After passing of the order of dismissal by the management a dispute was raised by the union on behalf of the workman. But the attempt of conciliation failed. So the matter was sent to the Ministry of Labour, Govt. of India and ultimately the Ministry of Labour has referred the dispute to this Tribunal for adjudication.

5. In the written statement the union has challenged the validity and fairness of the domestic enquiry held against the present workman. It was contended on behalf of the union that the workman was not given proper opportunity to defend himself in that enquiry. The management has failed to produce the record of the domestic enquiry inspite of several chances given to the management. So by an order dated 17-9-91 it has been held by this Tribunal that surely the domestic enquiry was not held properly and fairly held and for that the management withheld the record. This Tribunal set aside the domestic enquiry and its findings and decided to hold a fresh enquiry. On the basis of the said order This Tribunal has held a fresh enquiry.

6. This Tribunal has held the fresh enquiry on the charge (Ext. M-1) framed against the concerned workman which reads as follows :—

"ECL/KNT/PER/CS-7/2217

Date : 28-5-86.

To

Sri Ramji Kahar,

Driller/Kunustoria Colliery.

Sub : Chargesheet

Dear Sir,

You are alleged to have committed the following misconduct is :—

On 26-9-86 at about 1.20 p.m. you along with S/Sree Baban Singh, Explosive Carrier, K. K. Mishra, Pit Clerk working as Loading Clerk, R. S. Pandey, a Civil Contractor, Rajendra Thakur, an unemployed and 6-8 others persons entered in the Office of the Engineer (Civil) Sri A. C. Kar while he was talking to Sr. P. O. Sri S. S. Prasad, Sri Baban Singh picked out a Revolver from his pocket and by pushing it to the chest of Sri Kar threatened to kill him with your assistance and connivance. You also started abusing him in filthy languages calling names.

Again at about 1.30 p.m. you along with the above named persons and 20-25 others with Revolvers and other deadly weapons entered in the Office and started abusing and calling names of the Officers in general and the Agent and Engineer (Civil) in particular. You also tried to break open the door of the Office of the Agent by hitting violently.

Your above act amounts to gross misconduct and therefore charged under Clauses 17(i)(r) for threatening, abusing of assaulting any superior, 17(i)(a) for fighting or riotous, disorderly or indecent behaviour at the place of work and 17(i)(y)—abatement of or attempt to abatement of the misconduct of the Standing Orders enforced in the Colliery.

You are, therefore, required to submit your explanation within 48 hours of the receipt of this Chargesheet as to why disciplinary action be not taken against you for your above misconduct. If you fail to submit your explanation within the stipulated time, it will be presumed that you have nothing to explain against the charges and the Management will take action as it deem fit.

You are hereby suspended from your duty pending enquiry and decision thereon.

Yours faithfully,

Sd/- Agent

Kunustoria Colliery."

In reply the workman submitted the following explanation in writing (Ext. M-2) which reads as follows :—

"The Agent,

Kunustoria Colliery

Ref : Your charge sheet No. ECL/KNT/PER/CS-7/2217 dated 28/9-86.

Sir,

With due respect, I beg to submit as follows :

1. That the allegations contained in your above referred chargesheet are all false, frivolous and concocted and so they are denied by me. It is not at all true that I am guilty of the offences/charges as have been falsely alleged against me in your said chargesheet and those allegations have been brought against me with an ulterior motive.

2. Neither Babban Singh who was on duty then picked out revolvers from his pocket pushing the same on the chest of Sri A. K. Kar Engineer (Civil) to kill him nor I did connive & assist me the said Babban Singh of the same as alleged and this allegation has been brought against me with an ulterior motive of harassing me.

3. That the allegations made in para-2 of your aforesaid chargesheet that on Friday at 1.30 p.m. I along with 20-25 others with deadly weapons entered in the office, hitting violently the door of the office and the Agent trying to break open the same (shouting abuse and calling name of the Agent and Engineer (Civil) are out and out lies and concocted and so they are denied by me. The allegations are brought against me with some ulterior motive to harass and victimise me. The same is evident from the fact that though a case has been started at the false information of the said Engineer (Civil) Sri A. C. Kar, the case being Jamuna P. S. case No. 19 dated 26-9-86 and I have been prosecuted in the Court of Law on the self same allegation as mentioned in your chargesheet it appears that the authority have no desire to wait till the decision of the court of law.

That, the entire matter being subjudice, I am not in a position to disclose my defence at this stage. I have further been advised by my Lawyer not to disclose the defence story now and not to cross examine any witness, as that may affect the line of my defence in the Court of Law.

5. It may be mentioned here in this connection that in a recent judgement of Honble High Court at Calcutta, their Lordship have categorically given the ruling that the departmental enquiry can not give a verdict contrary to that of the court of Law.
6. That your order of suspension from my attending duty without giving chance to me goes to show your biasness into the matter and your such suspension order without giving me opportunity of explaining the fact is illegal and unconstitutional which call the withdrawal of the same forthwith.
7. In view of the aforesaid legal and actual position the enquiry proceedings against me may be kept in abeyance till the disposal of the criminal case pending before the Court of Law withdrawing your aforesaid order of suspension immediately.

Thanking you.

Yours faithfully,
Sd/- Ramji Kahar
Driller
Kunustoria Colliery"

7. From the chargesheet (Ext. M-1) we find that there are two parts of the incident. On the first part of the incident we find that on 26-9-86 at 1.20 p.m. the present workman along with others entered inside the office of Sri A. C. Kar (MW-1) while he was talking with Sr. Personnel Officer, Sri S. S. Prasad, Baban Singh, K. K. Mishra, R. S. Pandey, Rajendra Thakur and 6/8 other persons also entered in the room with Ramji Kahar. Baban Singh picked out a revolver from his pocket and threatened Sri A. C. Kar by pushing his chest with the assistance and connivance of Ramji Kahar. Ramji Kahar also abused him in filthy language calling his name.

8. Before this Tribunal the management has examined only Sri A. C. Kar as MW-1, but has not examined Sri S. S. Prasad the Senior Personnel Officer who was present in the room of Sri Kar at the relevant time without offering any explanation whatsoever. Sri A. C. Kar as MW-1 has pledged his oath and has stated the incident as alleged in the chargesheet. Sri M. Mukherjee the learned Advocate for the union has taken me through the certified copy of the F.I.R. (Ext. W-1) from which we find that for the alleged incident a F.I.R. was lodged with the Police. We find that the incident took place on 26-9-86 at 1.20 p.m. and the F.I.R. was lodged at 20.05 hours of the same date. Sri Mukherjee has pointed out that the name of Ramji Kahar

was not mentioned in the F.I.R. though the names of other persons are there. By pointing out the same he has urged before me that from that fact alone this Tribunal shall come to a finding that the concerned workman has been falsely implicated in this case. With due respect to his contention I like to say that considering the materials on record and the facts and circumstances I am unable to look eye to eye with him on this point. I find that in the F.I.R. it has been mentioned that 6/8 other persons also entered in the office along with named persons. In cross-examination the attention of the witness (MW-1) was not drawn on this point to explain why the name of the concerned workman was not mentioned. So on the basis of F.I.R. I am not prepared to accept that Ramji Kahar was not in the group of persons who entered in the Chamber of Sri Kar. It may be mentioned here that the story as a whole has not been denied.

Considering the nature of the case and the facts and circumstances I am not prepared to hold that this workman has been falsely implicated as he is a friend of Baban Singh as suggested in cross-examination. Sri A. C. Kar (MW-1) is a very respectable officer of the management and he had no earthly reason to implicate a man like the present workman falsely. It may be mentioned that Ramji Kahar did not venture to pledge his oath against the statement made by Sri Kar before this Tribunal on oath. So considering all the facts and circumstances of the present case I have no hesitation to find that the first part of the charge has been proved beyond reasonable doubt by the statement made by Sri Kar (MW-1).

9. In the second part of the charge it has been alleged that the workman of this case along with 20-25 other persons being armed with revolver and deadly weapons entered in the office and started abusing by calling the names of Agent and Engineer (Civil) MW-1 in particular. They tried to break open the door of the office of the Agent. Sri A. C. Kar as MW-1 has stated in his deposition that at 1.30 p.m. those persons along with many other persons being armed with deadly weapons like dagger and lathi stood on the corridor in front of the office of the Agent. They were shouting and abusing the officers of the colliery. At that time some people including workers, shopkeepers and villagers came near the office and then those persons left the place. We find that on the same day Sri A. C. Kar lodged a F. I. R. (Ext. W-1). In the F. I. R. there is only mention about the first part of the incident as alleged in the charge. But there is no whisper about the second part of the incident though this F.I.R. was lodged long after the alleged incident. Considering that aspect it is very difficult to put any reliance upon the statement of Sri Kar regarding the second part of the incident.

Be that as it may, from the statement made by Sri Kar (MW-1) before this Tribunal on oath we find that many persons assembled in front of the office of the Agent being armed with deadly weapons and they were shouting and abusing the officers of the colliery. From the charge we find that those persons were trying to break open the door of the office of the Agent and they were violent. So considering the situation as stated by Sri Kar and as mentioned in the chargesheet, it is very difficult to believe that Sri Kar got any opportunity to see Ramji Kahar among the members of that unlawfull assembly. So I find that the management has failed to establish the second part of the incident as alleged in the chargesheet.

10. In the result I find that the management has been able to prove beyond any shadow of doubt that on 26-9-86 at 1.20 p.m. the present workman Ramji Kahar along with Baban Singh and others entered in the office of Sri A. C. Kar and at that time Baban Singh threatened Sri Kar with dire consequences by picking out a revolver from his pocket.

Considering the materials before me it is very difficult to say that the present workman Ramji Kahar had any knowledge about the existence of any revolver in the pocket of Baban Singh. But I find that the present workman Ramji Kahar was an associate of Baban Singh while he threatened Sri Kar with dire consequences. Ramji Kahar had no earthly reason to enter in the room of Sri Kar at that time.

So the conduct of the workman Ramji Kahar amounts to gross misconduct and it comes under the clauses of the standing order as stated in the chargesheet. So I find Ramji Kahar the concerned workman guilty for the first count of the charge.

10. For such misconduct Ramji Kahar has been dismissed from service. Sri Prasanta Banerjee the learned Advocate for the management with all force has urged before me that the punishment imposed in this case is proportionate with the alleged offence. He has urged as if the heaven will fall upon the administration and the administration will totally collapse if such a man be reinstated in service. On this point we find that one K. K. Mishra committed the similar offence in the present case and his name was also mentioned in the FIR. But in the last line of cross-examination Sri A. C. Kar (MW-1) has admitted that K. K. Mishra was also dismissed but he has been reinstated. I find that Ramji Kahar stands on the same footing with K. K. Mishra. So I must hold that if Ramji Kahar be not reinstated in service then there will be serious discrimination which has been condemned by the Hon'ble High Courts and the Supreme Court in several cases.

Be that as it may be Hon'ble Supreme Court has held that capital punishment shall be imposed only in a rare of the rarest cases. In the present days dismissal from service in worse than capital punishment. Considering the nature of the offence committed by the present workman in the instant case I find that it is not a case of rare of the rarest nature to warrant dismissal from service as punishment. Further I must say that justice must be tampered with mercy.

So considering all the facts and circumstances and the nature of offence committed by the present workman I find that the dismissal is not a proportionate punishment in the case like the present one. I find that if the entire back wages of the concerned workman be forfeited as punishment that will meet the ends of justice.

11. In the result I find that the dismissal of Ramji Kahar the concerned workman of the present case w.e.f. 20-6-88 was not justified. Ramji Kahar shall be reinstated in service without any back wages within three months from the date of publication of the award. If the management fails to reinstate him within that period then Ramji Kahar shall stand reinstated in service from the expiry of that period of three months and shall get his wages from that date. The entire back wages of Ramji Kahar be forfeited as punishment.

This is my award.

N. K. SAHA, Presiding Officer

नई दिल्ली, 17 फरवरी, 1992

का. भा. 813.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुच्छेद में, केन्द्रीय सरकार कूड कारपोरेशन आफ इंडिया (पोर्ट ऑपरेशन्स) प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुच्छेद में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचवट को प्राप्ति करती है, जो केन्द्रीय सरकार को 17-2-92 को प्राप्त हुआ था।

[संख्या पत्र—L-42012/22/87—डी-11 (अं)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 17th February, 1992

S.O. 813.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Government Industrial Tribunal, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Food Corporation of India (Port Operations) and their workmen, which was received by the Central Government on the 17th February, 1992

[No. L-42012/22/87-D II(B)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri G. Krishna Rao, B.A.B.L., Industrial Tribunal.
Hyderabad, the 23rd January, 1992

Industrial Dispute No. 41 of 1988

BETWEEN

The Workmen of Food Corporation of India, (Port Operations), Visakhapatnam (A.P.) ... Petitioner

AND

The Management of Food Corporation of India (Port Operations), Visakhapatnam A.P. ... Respondent.

This case is coming for final hearing before me in the presence of Sri P. D. Nathan, President of the Council of A.P. Trade Unions and Vice President of the City Trade Unions Council, Hyderabad for the workmen and Sri K. Satyanarayana Rao, Advocate for the Management and upon perusing the material papers on record and having stood over for consideration till this day, the Court passed the following :

AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Order No. L-42012/22/87-D.II(B) dated 24th March, 1988 for adjudication of the dispute between the Management of Food Corporation of India (Port Operations) Visakhapatnam and their workmen setting forth the point for adjudication in the schedule appended thereto as follows :

"Whether the action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri A. P. Das from service, with effect from 11th December, 1979 is legal/justified? If not, to what relief the workman concerned is entitled to?"

The said reference was registered as I.D. No. 41 of 1988 on the file of this Tribunal. After receiving the notices issued by this Tribunal, both parties put in their appearance and the Petitioner filed claim statement on 4th May, 1988 and the Respondent filed counter on 12th September, 1988.

2. The averments of the claim statement filed by the Petitioner read as follows :

The Petitioner was employed as Gunny Clerk on daily wage rate of Rs. 27.84 ps. on and from 4th June, 1978 under the Respondent in connection with import and export business of the Food Corporation of India at Vizag. The Respondent has not issued any appointment order. However, the factum of employment of petitioner is born out from the attendance register as also from the wages register maintained by the Respondent. The Respondent terminated the service of the petitioner on and with effect from 12th December, 1979, without assigning any reason and without any notice and also in violation of the mandatory provision of Industrial Disputes Act. The petitioner along with other retrenched workers filed a suit in O.S. No. 2053/79 on the file of IV Additional Munsiff Magistrate, Visakhapatnam. The said suit was dismissed on 31st January, 1985 on the ground that, that Court has no jurisdiction. Subsequently the petitioner moved conciliation machinery of the Central Government, thereby raising an industrial dispute in respect of termination of the services of the petitioner. Consequent on the failure of conciliation the Central Government by its Order No. L-42012/22/87-D.II(B) dated 24th March, 1988 made the following references to this Honourable Tribunal for adjudication "Whether action of the Management of Joint Manager (Port Operation) Food Corporation of India, Visakhapatnam in terminating Sri A. P. Das from service with effect from 12th December, 1979 is justified. If not to what relief the workmen concerned is entitled? The termination of service of the petitioner is retrenchment within the meaning of Section 2(oo) of the I.D. Act since the said

termination does not fall within any of the excepted categories. The petitioner further states that the petitioner has put in 240 days continuous service during the period of 12 calendar months to be counted back ward from the date of retrenchment, namely 12th December, 1979. The retrenchment of the petitioner is violative of the mandatory provisions contained in Section 25-F and Section 25-G and Rules 76 and 77 of the I.D. Act and the Industrial Disputes (Central) Rules in that: (a) The respondent has not given one month's notice in writing or pay in lieu thereof. There is no agreement between the petitioner and the management specifying a date for termination. (b) The Respondent has not offered retrenchment compensation. (c) Notice in Form P has not been issued or served on the Government of India, the Commissioner of Labour (Central) Asstt. Labour Commissioner, (Central) Regional Labour Commissioner (Central) and the Employment Exchange, Visakhapatnam. (d) The Principle of last come first go method has not been followed. (e) No seniority list has been put upon the notice Board. In the absence of seniority list, it has not been possible for the petitioner to know as to whether in effecting retrenchment, seniority of petitioner has been overlooked and any of his juniors are retained in service. (f) The Respondent has not assigned any reason for the retrenchment. After retrenchment of the petitioner the respondent has employed several workmen in the category of petitioner, U/s. 25-H r/w Rule 78 it was mandatory for the Respondent to offer re-employment to the petitioner. No such offer was ever made by the Respondent to the Petitioner. The Respondent has thus violated the said provisions also. The Petitioner submits that the termination of the services of the petitioner is ab initio void, that there is no termination in the eye of law and that there is no cessation of master and servant relationship between the petitioner and the respondent. That being so, the petitioner is entitled to be reinstated into service with continuity of service, full back wages and all other attendant benefits. The petitioner therefore prays that this Honourable Tribunal may be pleased to pass an award directing the Respondent herein to re-instate the petitioner forthwith into service in the post of Gunny Clerk with continuity of service, full back wages and all other attendant benefits including seniority and the benefits of increments and/or enhanced wages, and bonus, holding and declaring that the retrenchment of the petitioner is unjustified, illegal, arbitrary and ab initio void.

3. The averments of the counter filed by the Respondent read as follows:

The Respondent herein does not admit any of the allegations made in the claim statement except those which are specifically admitted hereunder. The petitioner's put to strict proof of all the material allegations which are not so admitted hereunder. It is submitted that the Petitioner was engaged as a casual Gunny Clerk on daily wages depending upon the exigencies of work. The petitioner never continuously worked under the Respondent. The petitioner was engaged on casual basis for 109 days in the year 1978 and 119 days in the year 1979. The petitioner never worked for 240 days continuously. As such the question of issuing one month's notice or retrenchment compensation as contemplated under Section 25(F) of the I.D. Act does not arise. The allegation that the Respondent terminated the services of the petitioner with effect from 12th December, 1979 without assigning any reason and without any notice and also in violation of the mandatory provisions of the I.D. Act is not true and correct. The Respondent could not engage the petitioner as casual labour due to non-availability of work. The allegations made in para 7 of the claim statement are not true and correct. It is not correct to allege that the non-engagement of the services of the petitioner is retrenchment within the meaning of Section 2(oo) of the I.D. Act. The allegation that the petitioner has put in 240 days of continuous service during the period of 12 months to be counted back from the date of retrenchment namely 12th December, 1979 is not correct. As already stated that the petitioner has worked only for 119 days during the period of 12 months to be counted back from the date of alleged retrenchment namely 12th December, 1979. The non-engagement of the petitioner on casual basis from 12th December, 1979 does not amount to retrenchment. The petitioner never worked continuously for 240 days. The allegations made in para 8 of the claim statement are not true and correct. As already stated the

non engagement of the petitioner who worked on casual basis intermittently after 12th December, 1979 does not fall under the provisions of the Industrial Disputes Act, the Respondent has not violated the provisions of Sections 25(F), 25(G) Rules 76 and 77 of the I.D. Act and I.D. Central Rules. The Respondent could not engage the petitioner due to non-availability of work. The allegation made that the Respondent has not assigned any reason for retrenchment is not true and correct. The petitioner could not be engaged as there was no work. The allegations made in paras 9 to 11 are not true and correct. The allegation that after retrenchment of the Petitioner the Respondent has employed several workmen in the category of petitioner is not true and correct. No person was engaged as alleged by the Petitioner. As already stated, as there is no termination of the services of the petitioner the question of termination of the petitioner is ab initio void does not arise. The petitioner is not entitled to reinstatement into service with continuity of service, full back wages and other attendant benefits as claimed by the petitioner. The petitioner was engaged purely on casual basis due to exigencies of work and the non-engagement of the petitioner when there is no work does not attract Sections 25(F), (G) and (H) of the Industrial Disputes Act. Therefore the Respondent herein prays that this Hon'ble Court may be pleased to reject the reference and pass a nil award.

4. No witnesses were examined for the Petitioner and the Petitioner's side was closed. No documents were marked for the Petitioner. M.W. 1 was examined for the Respondent and the Respondent's side was closed. No documents were marked for the Respondent.

5. The point for adjudication is whether the action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri A. P. Das from service with effect from 11th December, 1979 is justified? If not to what relief the workmen concerned is entitled?

6. POINT : The admitted facts of the case are that the Petitioner was engaged on daily wage rate in the Respondent Corporation and the Respondent stopped engaging the Petitioner from 12-12-1979 onwards. The contention of the Petitioner was that he was employed as Gunny Clerk on daily wage rate of Rs. 27.85 ps. on and from 4-6-1978 and that date was not disputed by the Respondent. It is contended by the Petitioner that he worked continuously for more than 240 days within the period of 12 months prior to the date of his retrenchment and he was retrenched from a service without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947 and therefore he is entitled for reinstatement. The contention of the Respondent was that the Petitioner never worked for 240 days in any calendar year and therefore the Petitioner is not entitled for reinstatement. It is admitted case of the Respondent that the Petitioner was dis-engaged w.e.f. 12-12-1979 though it is not admitted by the Respondent that it was retrenchment on the ground that the Petitioner was a daily rated worker appointed on casual basis. It cannot be disputed that even if the Petitioner was dis-engaged as a daily rated worker, it amounts to retrenchment if the Petitioner has established that he worked for more than 240 days continuously as per the provisions of Section 25-B of the I.D. Act and that he was retrenched without complying with the provisions of Section 25-F of the I.D. Act, he is entitled for reinstatement. The question that falls for consideration in this case is whether the Petitioner worked for 240 days continuously within the period of 12 months prior to the date of his retrenchment as contended by him and if so, whether he is entitled for reinstatement?

7. The case of the Respondent in the counter was that the Petitioner was engaged on casual basis for 109 days in the year 1978 and 119 days in the year 1979 and that the Petitioner never worked for 240 days continuously. M.W.1 during the course of his evidence stated that in 1978 the Petitioner worked for a total period of 109 days and in 1979 he worked for 119 days and that from 1980 onwards there was no work and they never engaged anybody as Gunny Clerk. Though the Attendance Register and the Wages Register are available in the custody of the Respondent, the Respondent did not choose to produce the said

registers to establish its contention, that the Petitioner worked for certain days only in the years 1978 and 1979 as contended in the counter and as spoken to by M.W. 1 in his evidence. The case of the Respondent was that the Petitioner worked for 109 days in the year 1978 and 119 days in the year 1979 to establish that the Petitioner did not work for more than 240 days continuously during the period of 12 months prior to the date of the retrenchment. The Respondent did not produce the documentary evidence available in the Attendance Register and Wages Register which are admittedly in the custody of the Respondent and admittedly M.W. 1 deposed on the basis of the records as stated by him. It is elicited during the course of cross examination of M.W. 1 that he did not file the calculation Memo which they prepared, that all the Attendance Registers and Wage Registers are maintained by them only and that the workers attendance will be marked by them in the Attendance Register. It is also elicited during the course of cross examination of M.W. 1 that they did not file and get marked the Attendance Registers for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Order dated 7-7-1989 in M.P. No. 168/88 and that they produced the Register of wages also. As seen from the Order dated 7-7-1989 in M.P. No. 168/88 the petition was allowed. It is in the evidence of M.W. 1 that they did not file and get marked the Attendance Register for the year 1979-80 but they produced them in the Court and they are readily available here in the Court and that they were produced as per the Orders dt. 7-7-1989 in M.P. No. 168/88 and that they produced the Register of Wages also. As seen from the list of documents filed on behalf of the Respondent into Court are (1) Register showing particulars of engagement of gear clerk, Gunny clerk and Gunny Watchman for the months of October, November, December, 1979 upto March 1980, (2) Attendance and Wage Payment particulars of Gunny Clerks during 1976 to 1980 (3) File bearing No. DO\Stevdo\ng\75-77 statement showing the particulars of engagement of gunny grade clerks, during the period 1976 and 1977, (4) Statement showing the particulars of gear clerks, gunny clerks engaged by FCI during 1978 and (5) Statement showing the particulars of attendance of Gear Clerks and Gunny Clerks from 1-7-1979 to 30-11-1979 and the same were taken back without marking the same as exhibits on 22-10-1990 on which date M.W. 1 deposed in the Court. As seen from the notice in M.P. No. 168/88 five documents namely (1) Attendance Register pertaining to Gunny Clerks and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (2) Register of wages relating to Gunny and Gear Clerks for the period from 1-1-1976 to 31-12-1979, (3) Work statements I, II and III of Gunny and Gear Clerks for the above period, (4) Bonus Register of Gunny Clerks and Gear Clerks for the aforesaid period and (5) Award dated 8-4-1980 passed in I.D. No. 19/77 by the Central Industrial Tribunal, Hyderabad. As seen from the list of documents filed by the Respondent, the documents required by the petitioner to be produced in M.P. No. 168/88 were not produced and some statements prepared by the Respondent were produced into Court by the Respondent as per Memo filed by the Respondent into Court. So the evidence of M.W. 1 that they produced the documents as per the Order dated 7-7-1989 in M.P. No. 168/88 as required by the Petitioner is not correct and acceptable in view of the documents mentioned in M.P. No. 168/88 were not produced into Court evidently as seen from the list of documents filed by the Respondent into Court. So it is clear from the record available in this case that the documents required by the Petitioner to be produced into Court by the Respondent in M.P. No. 168/88 and ordered by the Court to be produced were not produced by the Respondent into Court. If really the said Registers were produced into Court as deposed by M.W. 1, the Respondent would have marked the same to establish its case that the Petitioner never worked for more than 240 days continuously within a period of 12 months prior to the date of retrenchment, as against the contention raised by the Petitioner that he worked continuously for more than 240 days and so an adverse inference is to be drawn against the Respondent to the fact that the Respondent did not get the documents produced into Court marked on behalf of the Respondent as the contents thereof are adverse to the case of the Respondent and that had they been marked it would have been established from those

documents that the Petitioner worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent did not marked those documents on its behalf. As stated by me earlier, the Respondent failed to produce the documents as required by the Petitioner in M.P. No. 168/88. The non-production of the documents as required by the petitioner which are within the custody of the Respondent and which would disclose the real facts with regard to the actual number of days the petitioner worked within the period of 12 months prior to the date of his retrenchment, leads to the inference that the Respondent did not produce the said documents as required by the Petitioner and kept them back as the said documents would establish the case of the Petitioner that he worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent intentionally kept back the said documents without producing the same into Court inspite of the specific orders passed by this Court in M.P. No. 168/88 on 7-7-1989 as the Respondent is aware of the fact that the said documents are adverse to its case. The non-production of the said documents by the Respondent into Court goes against the propriety of the case of the Respondent particularly when a specific plea was taken by the Respondent that the Petitioner did not work for more than 240 days within the period of 12 months prior to the date of his retrenchment as contended by the Petitioner and the documentary evidence to prove the said facts is admittedly within the custody of the Respondent. So in view of the evidence available on record, I hold that the Petitioner worked for more than 240 days continuously as contemplated under Section 25-B of the I.D. Act. Once it is established that the Petitioner worked for more than 240 days continuously within the period of 12 months prior to the date of his dis-engagement, it amounts to retrenchment as defined under Section 2(oo) of the I.D. Act. So the retrenchment without complying with the provisions of Section 25-F of the I.D. Act is bad in law and consequently the Petitioner is entitled for reinstatement.

8. The next question that falls for consideration is whether the Petitioner is entitled for reinstatement with full back wages for the entire period. It is the admitted case of the Petitioner as per the averments in the petition that the Petitioner along with other workers led a suit in O.S. No. 2053/79 on the file of the IV Additional Munsiff Magistrate, Visakhapatnam, that that suit was dismissed on 31-1-1985 on the ground that that Court had no jurisdiction, that subsequently the Petitioner moved the conciliation machinery of the Central Government thereby raising industrial dispute in respect of the termination of the services of the Petitioner. So it is clear from the averments of the claim statement that the Petitioner did not choose the correct forum to canvas his rights in as much as he approached the Civil Court as stated by him in the claim statement and the matter was pending in the Civil Court till 31-1-1985 and thereafter only he approached the Conciliation Officer. Admittedly the Petitioner and other retrenched workers approached the Advocate and got filed O.S. No. 2053/79 on the file of IV Additional Munsiff Magistrate, Visakhapatnam for the relief of reinstatement. So under the circumstances, it cannot be said that the Petitioner approached the Civil Court due to ignorance of law. On the other hand it is to be noted that ignorance of law is no excuse. So taking these circumstances into consideration, I am of opinion that the Petitioner cannot claim back wages from the date of the retrenchment till he approached the correct forum i.e. Conciliation Officer, i.e. till some time after 31-1-1985 on which date O.S. No. 2053/79 was dismissed and the back wages till the date the Petitioner moved the conciliation proceedings cannot be granted to the Petitioner in this case as it is due to his own fault, the conciliation proceedings could not be initiated and therefore the Respondent cannot be burdened with the payment of back wages for that period. There is no evidence brought on record that the Petitioner was engaged or appointed elsewhere during the period from the date that conciliation proceedings were initiated. Therefore, in view of my above discussion, I hold that the Petitioner is entitled for back wages from the date the conciliation proceedings were initiated. Hence I answer the point accordingly holding that the Petitioner is entitled for reinstatement with back wages from the date the conciliation proceedings were initiated till the date of his reinstatement.

9. In the result, an Award is passed directing the Respondent to reinstate the Petitioner into service forthwith, with back wages from the date the conciliation proceedings were initiated till the date of reinstatement. The Respondent is further directed to pay the back wages as ordered within one month from the date of publication of this Award failing which the Petitioner is entitled to realise the same with interest at 12 percent per annum from the date of publication of this Award till the date of realisation. There will be no order as to costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal this the 23rd day of January, 1992.

G. KRISHNA RAO, Industrial Tribunal

Appendix of Evidence

Witnesses examined

For the Petitioner,

NIL.

Witnesses examined

for the Respondent.

M.W. I. N Murthy

Documents marked for the Petitioner

NIL.

Documents marked for the Respondent

NIL.

INDUSTRIAL TRIBUNAL

नई दिल्ली, 17 फरवरी, 1992

का. भा. 814—औद्योगिक विवाद प्रवर्धन, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार फूड-कारपोरेशन ऑफ इंडिया (पोर्ट ऑपरेशन्स) के प्रबन्ध संस के संबद्ध विद्योयकों और उनके कर्मचारों के बीच, प्रबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपद को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-2-92 को प्राप्त हुआ था।

[संख्या एल—42012/11/87—डी-II (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 17th February, 1992

S.O. 814—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Government Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Food Corporation of India (Port Operations) and their workmen which was received by the Central Government on 17-2-1992.

[No. L-42012/11/87-D.II (B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri G. Krishna Rao, B.A., B.L., Industrial Tribunal
Twenty Third Day of January Nineteen Hundred Ninety Two
Industrial Dispute No. 39 of 1988

BETWEEN

The Workmen of Food Corporation of India, (Port Operations) Visakhapatnam A.P. —Petitioner.

AND

The Management of Food Corporation of India (Port Operations) Visakhapatnam A.P. —Respondent.

This case is coming for final hearing before me in the presence of Sri E. D. Nathan, President of the Council of A.P. Trade Unions and Vice President of the City Trade Unions Council, Hyderabad for the workmen and Sri K. Satyanarayana Rao, Advocate for the Management and upon perusing the material papers on record and having stood over for consideration till this day, the Court passed the following :

AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Orders No. L-42012/11/87-D.II (B) dated 24-3-1988 for adjudication of the dispute between the Management of Food Corporation of India (Port Operations) and their workman setting forth the point for adjudication in the schedule appended thereto as follows :

"Whether the action of the management of Joint Manager (Port Operations) Food Corporation of India, in terminating Shri S. Neeladri Rao from service, with effect from 12-12-1979 is legal/justified? If not, to what relief the workman concerned is entitled to?"

The said reference was registered as I. D. No. 39 of 1988 on the file of this Tribunal. After receiving the notices issued by this Tribunal, both parties put in their appearance and the petitioner filed claim statement on 4-5-1988 and the Respondent filed counter on 12-9-1988.

2. The averments of the claim statement filed by the Petitioner read as follows :

The Petitioner was employed as Gunny Clerk on daily wage rate of Rs. 27.84 ps. on and from 9-2-1979 under the Respondent in connection with import and export business of the Food Corporation of India at Vizag. The Respondent has not issued any appointment order. However the factum of employment of petitioner is born out from the attendance register as also from the wages register maintained by the Respondent. The Respondent terminated the service of the Petitioner on and with effect from 12-12-79, without assigning any reason and without any notice and also violation of the mandatory provisions of Industrial Disputes Act. The petitioner along with other retrenched workers filed a suit in O.S. No. 2083/79 on the file of IV Addl. Munsiff Magistrate, Visakhapatnam the said suit was dismissed on 31-1-85 on the ground that that Court has no jurisdiction. Subsequently the petitioner moved conciliation machinery of the Central Government, thereby raising an Industrial Dispute in respect of termination of the services of the petitioner. Consequent on the failure of conciliation the Central Government by its Orders No. L-42012/11/87-D.II (B) dated 24-3-1988 made the following reference to this Honourable Tribunal for adjudication whether the action of the management of Joint Manager (Port Operations) Food Corporation of India, Visakhapatnam in terminating Sri S. Neeladri Rao from service with effect from 12-12-79 is justified " if not to what relief the workman concerned is entitled? " "The termination of service of the petitioner is retrenchment with in the meaning Section 2(oo) of the I. D. Act since the said termination does not fall without any of the excepted categories. The petitioner further states that the Petitioner has put in 240 days continuous service for a period of 12 calendar months to be counted backward from the date of retrenchment namely 12-12-79. The retrenchment of the petitioner is violation of the mandatory provisions contained in Section 25-F, and Section 25-G, and Rules 76 and 77 of the I. D. Act and the Industrial Disputes (Central) Rules in that :

- The Respondent has not given one month's writing notice or pay in lieu thereof. There is no agreement between the petitioner and the management specifying a date for termination.
- The Respondent has not offered retrenchment compensation.

- (c) Notice in Form P has not been issued or served on the Government of Andhra Pradesh the Commissioner of Labour, Officers and the Employment Exchange.
- (d) The principles of last come first go method is not followed.
- (e) No seniority list has been put up on the notice board. In the absence of such seniority list, it has not been possible for the petitioner to know as to whether in effecting retrenchment, seniority of petitioner has been overlooked and any of his juniors are retained in service.
- (f) The Respondent has not assigned any reason for the retrenchment.

After retrenchment of the petitioner the respondent has employed several workmen in the category of petitioner under Section 25-H r/w rule 78. It was mandatory for the Respondent to offer re-employment to the petitioner. No such offer was ever made by the Respondent to the petitioner. The Respondent has thus violated the said provisions also. The petitioner submits that the termination of the service of the petitioner is ab initio void, that there is no termination of eye of the law, and that there is no cessation of master and servant relationship between the petitioner and the respondent. That being so the petitioner is entitled to be reinstated into service with continuity of service, full back wages and all other attendant benefits. The petitioner respectfully submits that the petitioner is not employed in any where. The petitioner therefore prays that this Honourable Tribunal may be pleased to pass an award directing the respondent herein to re-instate the petitioner forthwith into service in the post of Gunny/Care clerk with continuity of service, full back wages and all other attendant benefits including seniority and the benefit of increments and/or enhanced wages, and bonus holding and declaring that the retrenchment of the petitioner is unjustified, illegal arbitrary and ab initio void.

3. The averments of the counter filed by the Respondent are as follows :

The Respondent herein does not admit any of the allegations made in the claim statement except those which are specifically admitted hereunder. The petitioner is put to strict proof of all the material allegations which are not so admitted hereunder. It is submitted that the petitioner was engaged as a casual Gunny Clerk on daily wages depending upon the exigencies of work. The petitioner never continuously worked under the Respondent. The petitioner was engaged on casual basis for 60 days in the year of 1979. The petitioner never worked for 240 days continuously. As such the question of issuing one month's notice or retrenchment compensation as contemplated under Section 25(F) of the I. D. Act does not arise. The allegation that the Respondent terminated the services of the petitioner with effect from 12-12-1979 without assigning any reason and without any notice and also in violation of the mandatory provisions of the I. D. Act is not true and correct. The Respondent could not engage the petitioner as casual labour due to non-availability of work. The allegations made in para 7 of the claim statement are not true and correct. It is not correct to allege that the non-engagement of the services of the petitioner is retrenchment within the meaning of Section 2(oo) of the I.D. Act. The allegation that the petitioner has put in 240 days of continuous service during the period of 12 months to be counted back from the date of retrenchment namely 12-12-1979 is not correct. As already stated the petitioner has worked only for 60 days during the period of 12 months to be counted back from the date of alleged retrenchment namely 12-12-1979. The non-engagement of the petitioner on casual basis from 12-12-1979 does not amount to retrenchment. The petitioner never worked continuously for 240 days. The allegations made in para 8 of the claim statement are not true and correct. As already stated the non-engagement of the petitioner who worked on casual basis intermittently after 12-12-79 does not fall under the provisions

of the Industrial Disputes Act. The Respondent has not violated the provisions of the Sections 25(F), 25(G), Rule 76 and 77 of the I. D. Act and I. D. Central Rules. The Respondent could not engage the petitioner due to non-availability of work. The allegation made that the Respondent has not assigned any reason for retrenchment is not true and correct. The petitioner could not be engaged as there was no work. The allegations made in paras 9 to 11 are not true and correct. The allegation that after retrenchment of the petitioner the Respondent has employed several workmen in the category of petitioner is not true and correct. No person was engaged as alleged by the petitioner. As already stated, as there is no termination of the services of the petitioner the question of termination of the petitioner is ab initio void does not arise. The petitioner is not entitled to reinstatement into service with continuity of service, full back wages and other attendant benefits as claimed by the petitioner. The petitioner was engaged purely on casual basis due to exigencies of work and the non-engagement of the petitioner when there is no work does not attract Sections 25(F), (G), and (H) of the Industrial Disputes Act. Therefore the respondent herein prays that this Hon'ble Court may be pleased to reject the reference and pass a nil award.

4. No witnesses were examined for the Petitioner and the petitioner's side was closed. No documents were marked for the petitioner. MW-1 was examined for the Respondent and the Respondent's side was closed. No documents were marked for the Respondent.

5. The point for adjudication is whether the action of the Management of Joint Manager (Port Operations) Food Corporation of India in terminating Sri S. Neeladri Rao from service with effect from 12-12-1979 is legal/justified? If not, to what relief the workman concerned is entitled to?"

6. POINT : The admitted facts of the case are that the Petitioner was engaged on daily wage rate in the Respondent-Corporation and the Respondent stopped engaging the Petitioner from 12-12-1979 onwards. The contention of the Petitioner was that he was employed as Gunny Clerk on daily wage rate of Rs. 27.84 ps. on and from 9-2-1979 and that date was not disputed by the Respondent. It is contended by the Petitioner that he worked continuously for more than 240 days within the period of 12 months prior to the date of his retrenchment and he was retrenched from service without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947 and therefore he is entitled for reinstatement. The contention of the Respondent was that the Petitioner never worked for 240 days in any calendar year and therefore the Petitioner is not entitled for reinstatement. It is admitted case of the Respondent that the Petitioner was dis-engaged w.e.f. 12-12-1979 though it is not admitted by the Respondent that it was retrenchment on the ground that the Petitioner was a daily rated worker appointed on casual basis. It cannot be disputed that even if the Petitioner was disengaged as a daily rated worker, it amounts to retrenchment if the Petitioner has established that he worked for more than 240 days continuously as per the provisions of Section 25-B of the I. D. Act and that he was retrenched without complying with the provisions of Section 25-F of the I. D. Act, he is entitled for reinstatement. The question that falls for consideration in this case is whether the petitioner worked for 240 days continuously within the period of 12 months prior to the date of his retrenchment as contended by him and if so, whether he is entitled for reinstatement.

7. The case of the Respondent in the counter was that the Petitioner was engaged on casual basis for 60 days in the year 1979 and that the Petitioner never worked for 240 days continuously. MW-1 during the course of his evidence stated that in 1979 the Petitioner worked for a total period of 60 days only and that from 1980 onwards there was no work and they never engaged anybody as Gunny Clerk. Though the Attendance Register and the Wages Register are available in the custody of the Respondent, the Respondent did not choose to produce the said registers to establish its contention that the Petitioner worked for certain days only in the year 1979 as contended in the counter and as spoken to by MW-1 in his evidence. The case of the Respondent

was that the Petitioner worked for 60 days in the year 1979 establish that the Petitioner did not work for more than 240 days continuously during the period of 12 months prior to the date of the retrenchment. The Respondent did not produce the documentary evidence available in the Attendance Register and Wage Register which are admittedly in the custody of the Respondent and admittedly MW-1 deposed on the basis of the records as stated by him. It is elicited during the course of cross examination of MW-1 that he did not file the calculation memo which they prepared, that all the Attendance Registers and Wage Registers are maintained by them only and that the workers attendance will be marked by them in the Attendance Register. It is also elicited during the course of cross examination of MW-1 that they did not file and get marked the Attendance Registers for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dated 7-7-1989 in M.P. No. 168/88 and that they produced the Register of wages also. As seen from the Order dated 7-7-1989 in M.P. No. 168 of 1988 the petition was allowed. It is in the evidence of MW-1 that they did not file and get marked the Attendance Registers for the year 1979-80 but they produced them in the Court and they are readily available here (in the Court) and that they were produced as per the Orders dated 7-7-1989 in M.P. No. 168/88 and that they produced the Register of Wages also. As seen from the list of documents filed on behalf of the Respondent into Court are (1) Register showing particulars of engagement of Gear Clerk, Gunny Clerk and Gunny Watchmen for the months of October, November, December, 1979 upto March, 1980, (2) Attendance and Wage Payment particulars of Gunny Clerks during 1976 to 1980, (3) File bearing No. DO/Stevedoring/76-77 statement showing the particulars of engagement of gunny grade clerks, during the period 1976 and 1977, (4) Statement showing the particulars of gear clerks, gunny clerks engaged by FCI, during 1978 and (5) Statement showing the particulars of attendance of Gear Clerks and Gunny Clerks from 1-7-1979 to 30-11-1979 and the same were taken back without marking the same as exhibits on 20-10-1990 on which date MW-1 last deposed in the Court. As seen from the notice in M.P. No. 168/88 five documents namely (1) Attendance Register pertaining to Gunny Clerks and Care Clerks for the period from 1-1-1976 to 31-12-1979, (2) Register of Wages relating to Gunny and Care Clerks for the period from 1-1-1976 to 31-12-1979, (3) Work Statements I, II and III of Gunny and Care Clerks for the above period, (4) Bonus Register of Gunny Clerks and Care Clerks for the aforesaid period and (5) Award dated 8-4-1980 passed in I. D. No. 19/77 by the Central Industrial Tribunal, Hyderabad. As seen from the list of documents filed by the Respondent, the documents required by the Petitioner to be produced in M.P. No. 168/88 were not produced and some statements prepared by the Respondent were produced into Court by the Respondent as per Memo filed by the Respondent into Court. So the evidence of MW-1 that they produced the documents as per the Order dated 7-7-1989 in M.P. No. 168/88 as required by the Petitioner is not correct and acceptable in view of the documents mentioned in M.P. No. 168/88 were not produced into Court evidently as seen from the list of documents filed by the Respondent into Court. So it is clear from the record available in this case that the documents required by the Petitioner to be produced into Court by the Respondent in M.P. No. 168/88 and ordered by the Court to be produced were not produced by the Respondent into Court. If really the said Registers were produced into Court as deposed by MW-1, the Respondent would have marked the same to establish its case that the Petitioner never worked for more than 240 days continuously within a period of 12 months prior to the date of retrenchment as against the contention raised by the Petitioner that he worked continuously for more than 240 days and so an adverse inference is to be drawn against the Respondent to the fact that the Respondent did not get the documents produced into Court marked on behalf of the Respondent as the contents thereof are adverse to the case of the Respondent and that had they been marked it would have been established from those documents that the petitioner worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent did not marked those documents on its behalf. As stated by me earlier, the Respondent failed to produce the documents as required by the Petitioner in M.P. No. 168/88. The non-production of the documents as required by the

Petitioner which are within the custody of the Respondent and which would disclose the real facts with regard to the actual number of days the petitioner worked within the period of 12 months prior to the date of his retrenchment, leads to the inference that the Respondent did not produce the said document as required by the Petitioner and kept them back as the said documents would establish the case of the Petitioner that he worked for more than 240 days within the period of 12 months prior to the date of his retrenchment and therefore the Respondent intentionally kept back the said documents without producing the same into Court inspite of the specified orders passed by this Court in MP. No. 168/88 on 7-7-1989 as the Respondent is aware of the fact that the said documents are adverse to its case. The non-production of the said documents by the Respondent into Court gone against the propriety of the case of the Respondent particularly when a specific plea was taken by the Respondent that the Petitioner did not work for more than 240 days within the period of 12 months prior to the date of his retrenchment as contended by the Petitioner and the documentary evidence to prove the said facts is admittedly within the custody of the Respondent. So in view of the evidence available on record, I hold that the Petitioner worked for more than 240 days continuously as contemplated under Section 25-B of the I. D. Act. Once it is established that the Petitioner worked for more than 240 days continuously within the period of 12 months prior to the date of his dis-engagement, it amounts to retrenchment as defined under Section 2(o) of the I. D. Act. So the retrenchment without complying with the provisions of Section 25-F of the I. D. Act is bad in law and consequently the petitioner is entitled for reinstatement.

8. The next question that falls for consideration is whether the Petitioner is entitled for reinstatement with full back wages for the entire period. It is the admitted case of the Petitioner as per the averments in the petition that the Petitioner along with other workers filed a suit in O.S. No. 2053/79 on the file of the IV Additional Munsiff Magistrate, Visakhapatnam, that that suit was dismissed on 31-1-1985 on the ground that that Court had no jurisdiction, that subsequently the petitioner moved the conciliation machinery of the Central Government thereby raising industrial dispute in respect of the termination of the services of the Petitioner. So it is clear from the averments of the claim statement that the Petitioner did not choose the correct forum to canvas his rights in as much as he approached the Civil Court as stated by him in the claim statement and the matter was pending in the Civil Court till 31-1-1985 and thereafter only he approached the Conciliation Officer. Admittedly the Petitioner and other retrenched workers approached the Advocate and got file O.S. No. 2053/79 on the file of IV Additional Munsiff Magistrate, Visakhapatnam for the relief of reinstatement. So under the circumstances, it cannot be said that the Petitioner approached the Civil Court due to ignorance of law. On the other hand it is to be noted that ignorance of law is no excuse. So taking these circumstances into consideration, I am of opinion that the Petitioner cannot claim back wages from the date of his retrenchment till he approached the correct forum i.e. Conciliation Officer, i.e. till some time after 31-1-1985 on which date O.S. No. 2053/79 was dismissed and the back wages till the date the petitioner moved the conciliation proceedings cannot be granted to the petitioner in this case as it is due to his own fault, the conciliation proceedings could not be initiated and therefore the Respondent cannot be burdened with the payment of back wages for that period. There is no evidence brought on record that the Petitioner was engaged or appointed elsewhere during the period from the date the conciliation proceedings were initiated. Therefore, in view of my above discussion, I hold that the Petitioner is entitled for back wages from the date, the conciliation proceedings were initiated. Hence I answer the point accordingly holding that the Petitioner is entitled for reinstatement with back wages from the date the conciliation proceedings were initiated till the date of his reinstatement.

9. In the result, an Award is passed directing the Respondent to reinstate the Petitioner into service forthwith, with back wages from the date the conciliation proceedings were initiated till the date of reinstatement. The Respondent is further directed to pay the back wages as ordered within

one month from the date of publication of this Award failing which the Petitioner is entitled to realise the same with interest at 12 percent per annum from the date of publication of this Award till the date of realisation. There will be no order as to costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 23rd day of January, 1992.

G. KRISHNA RAO, Industrial Tribunal

APPENDIX OF EVIDENCE

Witnesses examined
for the Petitioner :

NIL

Witnesses examined
for the Respondent :

MW-1—I. N. Murthy.

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 19 फरवरी, 1992

का. मा. 815.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मानिकपुर कोलियरी आफ ए. ई. सी. एन. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-2-92 को प्राप्त हुआ था

[संख्या एन-22012/7/91-आई आर (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 19th February, 1992

S.O. 815.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Manikpur Colliery of S.E.C.L. of their workmen, which was received by the Central Government on the 19-2-1992.

[No. L-22012/7/90-IR(C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE HON'BLE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL-CUM-LABOUR COURT.
JABALPUR (M.P.)

Case No. CGIT/LC(R)(161)/1990

PARTIES :

Employers in relation to the Management of Manikpur Colliery of S.E.C.L. Bilaspur (M.P.) and their workmen S/Shri Narhar, Kunjram, Nandram, Ganesh and R. L. Sahu, represented through the Secretary (C), Samyukta Khadan Mazdoor Sangh (AITUC), Branch Office Banki Mongra, Post Banki Mongra, District Bilaspur (M.P.)-495447.

APPEARANCES :

For Workmen/Union : None.

For Management : Shri A. K. Shasi, Advocate.

INDUSTRY : Coal Mining DISTRICT : Bilaspur(MP)

AWARD

Dated: January 31st, 1992

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012(7)/90-IR (Coal-II) dated 5th July, 1990, for adjudication of the following dispute :—

“Whether the action of the sub-Area Manager, Manikpur Colliery of M/s. S.E.C. Ltd., Bilaspur in not promoting S/Sri Narhar, Kunjram, Nandram, Ganesh and R. L. Sahu as E. P. Fitter Grade-III when their juniors viz. S/Sri Abdul Zabbar and Dhana Ram, have been promoted w.e.f. 15-10-76, is justified ? If not, to what relief the workmen concerned are entitled ?”

2. Reference Order was received on 12-7-90. Notice were received to the parties to file their respective statement of claim. Management filed its statement of claim. Last date fixed was 28-1-92. In between 12-7-90 and 28-1-92 several dates were fixed but neither the workmen nor anyone on behalf of them appeared before the Court. It appears that neither of the workmen has any interest in the case. I therefore record a No Dispute Award and make no order as to costs.

V. N. SHUKLA, Presiding Officer

नई दिल्ली, 19 फरवरी, 1992

का. मा. 818.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्रीपुर (मार्) कोलियरी आफ मैसर्स ईस्टर्न कोलफील्ड लि. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-2-92 को प्राप्त हुआ था।

[संख्या एन-19012/3/85-डी- IV (सी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 19th February, 1992

S.O. 816.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sri Pur (R) Colliery of M/s. Eastern Coalfields Ltd., of their workmen, which was received by the Central Government on the 19-2-92.

[No. L-19012/3/85-D. IV(B)]

RAJA LAL, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL AT CALCUTTA

Reference No. 19 of 1985

PARTIES :

Employers in relation to the management of
Sripur (R) Colliery of M/s. Eastern Coal-
fields Limited.

AND

Their Workmen.

PRESENT :

Mr. Justice Manash Nath Roy, Presiding Officer.

APPEARANCES :

On behalf of Management :

Mr. Arunava Gosh, Advocate with Mr. D.
Mukhopadhyay, Advocate.

On behalf of Workmen :

Mr. D. L. Sengupta, Senior Advocate with
Mr. C. D. Dwivedi, Advocate.

STATE : West Bengal.

INDUSTRY : Coal

AWARD

One Sh. Md. Hanif, since deceased, was employed
as an Underground Trammer, in the Sripur (R) Colliery of Messrs Eastern Coalfields Limited.

2. While in service, he died on 11th March, 1982. He was claimed to be a member of the Colliery Mazdoor Union, which is affiliated to I.N.T.U.C.

3. Admittedly, the said employee had lost his first wife and by that wife, he had five sons, of which, the eldest one, according to the management, was given employment on 10th March, 1983, on the basis of his application dated 1/7 March, 1982. But, such appointment was stated by the management, to have been given effect to after six months. Admittedly, the said appointment was given on the basis of the Rules, which were applicable in a case of the present nature and in terms of "Dependants quota".

4. I think, to appreciate the points as involved, the submissions made at the Bar, and the arguments/contentions advanced on the Rules, which were on the basis of a Bilateral Agreement between the Coal India Ltd. and the Central Trade Unions like INTUC, AITUC, HMS, CITU and BMS, which is otherwise known as National Coal Wages Agreement-II (hereinafter referred to as the said Agreement), relevant provisions thereof are as under :—

"10.4.1 Employment would be provided to one dependent of workers disabled permanently and those who meet with death while in employment. This provision will be implemented as follows :—

10.4.2 Employment of one dependent of the workers who dies while in service :—

I. The dependent for the purpose means the wife/husband as the case may be,

unmarried daughter, son, legally adopted son. If no such direct dependent is available for employment widow daughter/widowed daughter-in-law or son-in-law residing with the deceased and almost wholly dependent on the earnings of the deceased may be considered to be dependent of the deceased.

II. The dependent to be considered for employment should be physically fit and suitable for the employment and aged not more than 35 years of age provided that age limit shall not apply in the case of spouse."

"12.3.1 In case of any doubt or difficulty in interpretation of any clause of this Agreement the same shall be referred to the Joint Bipartite Committee for Coal Industry (JBCCI) or a sub-committee constituted by JBCCI for the purpose;"

should be indicated.

5. Admittedly, the appointment to the son concerned, was given by the Management, after a determination dated 21st September, 1983, made in T. Suit No. 209 of 1983, by the learned Munsif, 1st Court, Assansol, which was instituted on the facts and circumstances, as would be indicated hereafter.

6. In that suit, the applicant, whom the said Union represented, stated that she is the second legally married wife of the late Hanif Mia. It was her case that after the death of his first wife, the said late Hanif Mia married her for the second time in 1969, according to Mohamadan rites and she had two issues by such marriage, none of them are of course living.

7. It was her case that after the death of Hanif Mia, she requested the management, to provide her with any employment, as the heir of late Hanif Mia, on the basis of the "Dependant Quota", but such prayer was not acceded to and on the other hand, they have given appointment to the eldest son of the said late Hanif Mia, on the basis of such quota as indicated earlier, claiming such action to be regular, proper and legal.

8. In that suit, the said son of late Hanif Mia, amongst others, was made a defendant and he alleged that the said Zakiran Bibi was not the legally married wife of late Hanif Mia and he was duly given the employment, on the basis as indicated. In the said suit, the defence of M/s. Eastern Coalfields Limited was that they had no knowledge about any relationship of the said Zakiran Bibi with late Hanif Mia. It was their case that the plaintiff and defendant No. 1 i.e. the said first/eldest son of late Hanif Mia, and they, after considering necessary documents, decided to provide employment to the said son from the "Dependant's quota" of late Hanif Mia. It was their case that the management has every discretion to provide job to any one of the dependants and the Zakiran Bibi cannot challenge the same.

9. In her suit, Zakiran Bibi prayed for declaration that (a) she was the legally married wife of late Hanif Mia and So (b) she was also entitled to be considered as "Dependant" of late Hanif Mia along-with his other heirs. She also prayed for mandatory injunction.

10. On consideration of the evidence as produced by the parties, the learned Munsif was pleased to issue necessary declaration in terms of prayer (a), but made it clear that the same would not mean that the same could compel the management to appoint her in their office and it was entirely the discretion of the employer as to which of the dependants should be provided with job and furthermore, the Court cannot nominate anyone of them, because of the principles that contract of personal service cannot be specifically enforced. As such it was observed that Zakiran Bibi was not entitled to get the declaration in terms of her prayer (b) and consequently, she was not also entitled to any order of injunction as prayed for.

11. It was the case of the plaintiff Zakiran Bibi, that she had to file the suit for necessary declarations, as the sons of late Hanif Mia challenged the legality of her marriage with him and on that basis, the management elected to consider the claim of the said son of late Hanif Mia, on the basis as aforesaid in the matter of employment.

12. After stating the relevant facts in the written statement, which was filed on 14th February 1986, it has been claimed by the Union, representing the case, that they duly espoused the case of Zakiran Bibi, wife of late Hanif Mia, who was their member, as the lady approached them and stated that her legal right, flowing from the said agreement, has been denied and refused. It was also stated that after necessary representations, which were found to be abortive, the matter was taken before the conciliation machinery under the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act) and on failure of the conciliation, the reference to the following effect :—

"Whether the action of the management of Sripur (R) Colliery of M/s. E.C. Ltd. in refusing employment to Smt. Jakiran Bibi widow of late Sh. Md. Hanif Mia, Underground Trammer as per clause 10.4.1 of NCWA-II is justified? If not, to what relief is Smt. Jakiran Bibi entitled?"

was made, for adjudication by the Government of India, Ministry of Labour vide Order No. L-19012 (3)/85-D.IV(B) dated 3rd June 1985.

13. It should be noted that the said eldest son of late Hanif Mia, who was given the employment on the basis of "Dependant's quota", after the disposal of the Civil Suit, has not been impleaded as a party or brought on record, in this proceeding.

14. The only written statement, which was filed on 28th July 1988, was by Messrs. Eastern Coal-fields Ltd. and they contended inter alia amongst others that the dispute as referred, at the instance of the Union was not an Industrial dispute under the

said Act and in that dispute neither the workmen of the colliery nor any substantial number of them are interested or have espoused the cause of the said Jakiran Bibi and there was no resolution of the said Union, for duly espousing her cause. It was also claimed that the dispute as referred, could not be a dispute in terms of Section 2(k) of the said Act and there was no relationship of employer and employee between the Company and the said Jakiran Bibi and as such, there could not be any Industrial dispute, raised either by her or on her behalf. It was also claimed that because of the determination of the Civil Court, the particulars whereof have been indicated earlier, the dispute under consideration, cannot be proceeded with as the same will be hit by Resjudicata or principles analogous thereto and in any event, since it has been found by such appropriate forum like the Civil Court, that it is a managerial function, as to whom to appoint, this Tribunal cannot and should not proceed with the hearing of this dispute or make any determination. In any event, it was contended that the management, duly considered the terms of the said agreement viz. clauses 10.4.1 and 10.4.2 and gave employment to the eldest son of the said late Hanif Mia, considering and finding him to be physically fit and suitable for the employment in the Mines, as Underground Trammer. It was then contended that on the basis of clause 12.3.1, a dispute of the present nature, should have been referred to the JBCCI, as the dispute admittedly, on the basis of claims and counter-claims, involved the interpretation of the terms of the said agreement, for their decision. In view of the above, it was contended that this Tribunal has no jurisdiction to decide the list as involved.

15. There was a rejoinder filed on 7th October, 1988 by the Union, wherein, after denying the material allegations as contended in the Written Statement, a decision passed by the Branch Committee of the Colliery Mazdoor Union of Sripur (R) Colliery dated 16th August, 1983 and passed in the Executive meeting, has been disclosed.

16. At the hearing, parties to the dispute, lead both oral and documentary evidence and WW-2 Shri Provash Goswami, the General Secretary of the Union, produced Ext. W-2 and W-3, showing that after the death of Hanif Mia, Jakiran Bibi approached the union and on such, the Union represented to the Agent, Sripur (R) Colliery and the Director of the Company, with such of her prayers as mentioned earlier and as no relief was granted, by Ext. W-4, the concerned dispute was raised. He also testified that Hanif Mia was their member. He also said about the filing of the Civil Suit by Jakiran Bibi, the second wife of Hanif Mia and said, after two days of the decision by the Civil Court, a son of Hanif Mia was given appointment. According to this witness, in terms of the said agreement, Jakiran Bibi was entitled to get preference in the matter of employment amongst the heirs of late Hanif Mia, in the matter of appointment, as the Company was required to employ one dependant of the deceased. Jakiran Bibi deposed as WW-1. She admitted that Hanif Mia died on 11th March, 1982 and on his death, she made an application (Ext. W-1) to the Agent of Sripur Colliery, for any job. It was also

admitted by her, that apart from herself, Hanif Mia left behind, five adult and earning sons by his first wife and alleged that after the death of her husband, she has been placed in great strain and really, she has also admitted about the findings of the Civil Suit and the orders made thereon. I have indicated earlier, the orders which were made in that proceedings and it may be mentioned that such determination has become final, as none of the parties tested the same in any higher forum.

17. The evidence on behalf of the management was tendered through Shri S. Zaman, Senior Personnel Officer of Sripur Colliery. He has stated that Md. Hanif Mia, an underground Trammer, died while in service and on his death, his son was appointed as he applied first. From his evidence, it is apparent that the application by Jakiran Bibi was a subsequent one and was made 10/12 days after the application by the son. He has also stated that the authorities were informed about the second wife of Hanif Mia and on the basis of the prevailing Rules, on such death, one of the dependent was given employment. He has also stated that the son was first employed on 1st October, 1983 on the basis of an appointment letter, which was issued in 1982 and on the appointment, the son has been posted at Bankola area. He could not deny, on the death of some other employees, their wives were appointed by a document signed by Mr. I. N. Srivastava. It was his further evidence that in the matter of appointment of the present nature generally the principle followed is the first come first served. But said, there is no rigidity and there is also no time limit for making such application for appointment or for giving employment. But, admitted, that the application of Jakiran Bibi was not considered, even though she was found to be the legal wife of the ex-employee, because before that, employment was given to one of the sons. He of course denied that even under the said agreement, after husband, the claim of the wife is to be considered first, for the purpose of employment and has also stated that the employment to the son was not really given immediately after the determination in the Civil Suit, but it was given sometimes thereafter. He has denied the suggestion in the matter of appointment, the son was unduly preferred.

18. In the state of evidence as discussed and on the basis of the pleadings, Shri Arunava Ghosh, appearing for the management contended firstly, that the Reference was incompetent and without jurisdiction, as there was no dispute between the Union concerned and the colliery, over the employment or non-employment of any workman, in terms of Section 2(k) of the said Act and neither the workmen of the colliery nor any substantial number of the same have espoused the cause of Jakiran Bibi, and in fact, there was no resolution of the concerned Union to espouse her cause. Of course, this fact was not correct, in view of the subsequent disclosure made in the Rejoinder. It was, secondly contended by him that in view of the determinations on merits in the Civil Suit as mentioned hereinbefore, the adjudication by this Tribunal now or the proceedings before it, will be hit by Resjudicata or principles analogous thereto and in any event, Jakiran Bibi had no jurisdiction to raise the pretended

dispute over the matter in issue and thirdly, since the eldest son of late Hanif Mia, has admittedly been given employment after the determination by the said Civil Court and after such determination and that too before the application of Jakiran Bibi, and he has actually joined and is working, so in his admitted absence in this proceedings, no determination in favour of the lady can be made, as that will in effect deprive the said eldest son of late Hanif Mia, without hearing him and that would be against the principles of natural justice and all norms relating to or emanating from the same and lastly, it was claimed that even under the said agreement, the choice of appointment to be given in case of a dependant of the deceased, rests entirely with the management, and such choice, may not be according to the hierarchy as mentioned in sub-clause (1) of clause 10.4.2. as quoted earlier.

19. In support of his submissions on the first point, reference was made by Shri Ghosh to the case of Workmen of Dimakuchi Tea Estate Vs. Management of Dimakuchi Tea Estate, 1958(1)LLJ 500, where the scope of the words "Any person" in Section 2(k) of the said Act has been indicated by the Hon'ble Supreme Court of India, as having regard to the scheme and object of the said Act and its other provisions to mean that the same should be read subject to such limitations and qualifications as arise from the contract and the two crucial limitations are (1) the dispute must be a real dispute between the parties to the dispute (as indicated in the first two parts of the definition clause), so as to be capable of settlement or adjudication by one party to the dispute, giving necessary relief to the other, and (2) the person regarding whom the dispute is raised, must be one in whose employment, non-employment, terms of employment, or conditions of labour (as the case may be), the parties to the dispute have a direct or substantial interest. In the absence of such interest, the dispute cannot be said to be a real dispute between the parties. Where the workman raise a dispute as against their employer, the person regarding whose employment, non-employment, terms of employment or conditions of labour the dispute is raised need not be, strictly speaking, a "workman" within the meaning of the Act, but must be one in whose employment, non-employment, terms of employment or conditions of labour, the workman as a class, have a direct or substantial interest. In fact, the above case was the initial determination on the point and it was argued at the Bar that the same has neither been dissented from or overruled. It should be noted here that Shri Sengupta, who claimed the above determination to be inapplicable in this case, was wrong in submitting that there has been no statement in this proceedings, as to when the son was appointed. I have already indicated from the records, the respective dates of application by the son and Jakiran Bibi and when the son was appointed. The son, admittedly applied earlier than the lady and that too, after the determination by the Civil Court. The said agreement certainly became a part of the terms of service and conditions of employment of the employees of the Colliery concerned and as such, it cannot but be held that for interpretation of any of the terms of the same, Industrial Dispute can be raised by the heirs of the deceased workman as "Dependent", as in terms of the said agreement, such right has been conferred to them and which really flows from the terms of service

and conditions of employment, which were available to the deceased predecessor, as his terms of service. In that view of the matter on the basis of the determinations, starting from the case as cited at the Bar and the subsequent decisions, the submissions on the point of Shri Ghosh, to mind, were not of much substance. I hold that the dispute in the facts of this case, could be raised and such dispute, when raised, became an Industrial Dispute, capable of being adjudicated by the Tribunal, as the claim, as indicated earlier, was lodged by one of the admitted heirs of the deceased and the mere so, when the benefits of the said agreement flowed from him or his employment.

20. On his submissions on the applicability of Resjudicata or principles analogous thereto, Shri Ghosh submitted that because of such principles, this Tribunal, cannot now adjudicate over the matter in issue, once more, as the Civil Court has already negatived the claim of the said Jakiran Bibi over the self same point. In reply, Shri Sengupta contended that in industrial proceedings, the principles as mentioned, have no application. After going through the judgement of the concerned Civil Suit, it appeared that over the issue as raised, which was really the second point to be decided by the Civil Court, there has been no determination on merits. This, I feel that the matter in issue, now before this Tribunal, would not be hit by the principles as mentioned by Shri Ghosh. Thus, his submissions on such point, cannot be accepted in this case.

21. In reply to the submissions of Shri Ghosh that even under the terms of the said agreement as indicated earlier, it was the management's function and choice to give appointment to one of the dependants of the deceased employee and they have duly exercised such choice, after the determination by the Civil Court and more particularly when, the application by the son, was earlier and the said Jakiran Bibi, claiming as the second wife of the deceased Hanif Mia applied later, Shri Sen Gupta indicated that it is true that the son applied earlier than the said Jakiran Bibi and the management gave him the appointment, after the concerned determination by the Civil Court, which created no bar in the exercise of their power. In reply, Shri Sengupta, on a reference to the terms of Clause 10.4.2 of the said agreement also submitted that such action of the management was not proper as under the terms of the said clause and on the basis of the hierarchy as indicated there, the claim of the said Jakiran Bibi, who was admittedly the second wife of the deceased, should have been considered first and in preference to the son or sons, as they would come at a much lower serial in the matter of such consideration for appointment. Shri Sengupta claimed that in this case, the conduct of the management was not bonafide at all, as before offering appointment to the son, they had not admittedly initiated enquiry in the matter, to find out, who were the dependent heirs of the deceased. He also submitted that even without such or any enquiry, there was no difficulty for the management to know about the claim of the lady, as the heir of the deceased, because from the determination of the Civil Court, they were aware of her claim as a dependant. It was contended by Shri Sengupta that the management acted wrongly, illegally and irregularly, in not giving priority to the lady, in the matter of appointment as the dependant of the deceased.

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ed. The submissions of Shri Sengupta, in my view, cannot be accepted, in the facts, and circumstances of the case and I feel that even on due construction and consideration of Clause 10.4.2 of the said agreement, the management has the right to choose the dependant of a deceased, according to their need, in respect of the character of employment and suitability of the applicant. But, such consideration is not very relevant in this case, as the application by the son was admittedly earlier than the second wife of the deceased workman.

22. The other submissions of Shri Ghosh regarding the prejudice which the appointee son will suffer, if the proceedings are continued and determined against him viz. if the claim of the lady is allowed in the absence of the son, in my view, although contended otherwise by Shri Sengupta, are of substance. It is true, if the claim of the lady is allowed viz. she is directed to be employed at this stage, that would certainly prejudice the appointment of the son, who has already joined his service and if such order is made without hearing him, since he has neither been impleaded as a party nor brought on the record, that would certainly be against all norms and principles of natural justice. Since, I cannot authoritatively interfere with the service of the son in the facts as indicated, I feel that this Reference cannot be answered in favour of the said second wife of the deceased viz. Jakiran Bibi and as such, the Reference is dismissed.

23. This is my Award.

Dated, Calcutta,

The 31st January, 1992.

MANASH NATH ROY, Presiding Officer

नई दिल्ली, 19 फरवरी, 1992

का. मा. 818.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न कोलफील्ड लि. के प्रबन्धन के संवेदक नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधि-करण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19/2/92 को प्राप्त हुआ था।

[संख्या एल-22012/277/89-आई आर (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, 19th February, 1992

S.O. 817.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Western Coalfields Ltd. of their workmen, which was received by the Central Government on the 19-2-92.

[L-22012/277/89-IR (C-II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE HON'BLE SHRI V. N. SHUKLA,
PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC (R) (60)/1990

PARTIES :

Employers in relation to the management of Western Coalfields Ltd., Pathakhera, District Betul (M.P.) and their workman, Shri Makhanlal, represented through the Organiser, Hind Mazdoor Kisan Panchayat, Pathakhera Office, Jagiivan Nagar, New Bus Stand, Pathakhera, District Betul (M.P.), 460449.

APPEARANCES :

For Workman/Union—None.

For Management—Shri A. K. Shasi, Advocate.

INDUSTRY : Coal Mining DISTRICT : Betul (M.P.)

AWARD

Dated : January 31st, 1992

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012(277)/89-IR (Coal-II) Dated 19th February, 1990, for adjudication of the following dispute :—

SCHEDULE

“Whether the action of the General Manager, W.C. Ltd., Pathakhera in superseding Sri Makhanlal, T. No. 1079, SDL Helper, is justified ? If not, to what relief the workman concerned is entitled ?”

2. After the reference was made the workman took no interest in the case. He has not even put in appearance on any dates of hearings nor filed any statement of claim. It appears that the workman is not interested in contesting his case. I therefore record a no dispute Award and make no order as to costs.

V. N. SHUKLA, Presiding Officer

नई दिल्ली, 19 फरवरी, 1992

का. भा. 818.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न कोल-फील्ड लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19/2/92 को प्राप्त हुआ था।

[संख्या एल-22012/278/89-आई.आर. (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi the 19th February, 1992

S.O. 818.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur

as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Western Coalfields Ltd. of their workmen, which was received by the Central Government on the 19-2-92.

[No. L-22012/278/89-IR(C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE HON'BLE SHRI V. N. SHUKLA,
PRESIDING OFFICER, CENTRAL GOVERNMENT PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(61)/1990

PARTIES

Employers in relation to the management of Western Coalfields Ltd., Pathakhera, district Betul (M.P.) and their workman, Shri Sampat Rao, represented through the Organiser, Hind Mazdoor Kisan Panchayat, Pathakhera Office, Jagiivan Nagar, New Bus Stand, Pathakhera, district Betul (M.P.)-460449.

APPEARANCES :

For workman/union—none.

For management—Shri A. K. Shasi, Advocate.

INDUSTRY : Coal Mining DISTRICT : Betul (M.P.)

AWARD

Dated : January 31, 1992

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012(278)/89-IR (Coal-II) Dated 19th February, 1990, for adjudication of the following dispute :—

“Whether the action of the Management of the General Manager, Western Coalfields Ltd., Pathakhera in not providing light job to Sri Sampat Rao, Token No. 2472, is justified ? If not, to what relief the workman concerned is entitled ?”

2. The workman has not filed statement of claim in the case inspite of several notices. Nor the workman or anyone on his behalf put appearance on the dates fixed i.e. on 10-5-90, 27-6-90, 17-8-90, 14-2-91, 23-4-91, 27-8-91 and 19-12-91. It appears that the workman has no interest in the case. No dispute Award is therefore recorded in the case under reference. No order as to costs.

V. N. SHUKLA, Presiding Officer

नई दिल्ली, 26 फरवरी, 1992

का. भा. 819.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चारा ओ सी पी आफ ई. सी. एल. के प्रबन्धतंत्र में संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-2-92 को प्राप्त हुआ था।

[संख्या एल-22012/135/90-आई.आर. (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, 26th February, 1992

NOTIFICATION

S.O. 819.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Chora OCP of E.C. Ltd. and their workmen, which was received by the Central Government on 19-2-92.

[No. L-22012/135/90-IR(CII)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL, ASANSOL

REFERENCE NO. 46/90

PRESENT :

Shri N. K. Saha,
Presiding Officer.

PARTIES :

Employers in relation to the Management of
Chora OCP of M/s. E.C. Ltd.

AND

Their workman

APPEARANCES :

For the Employers—Sri P. K. Das, Advocate.

For the Workman—Sri C. S. Mukherjee, Advocate.

Industry : Coal State : West Bengal

Dated, the 4th February, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(135)/90-IR(C. II) dated the 22nd October, 1990.

SCHEDULE

“Whether the action of the management of Chora OCP of M/s. Eastern Coalfields Ltd., P.O. Bahula, Distt. Burdwan, in deducting 10 days wages from the salary of Sri Lalit Kr. Roy, T.T. Driver is justified? If not, to what relief the concerned workman entitled?”

2. The dispute has been settled out of Court. A memorandum of settlement has been filed today (4-2-92) in Court duly signed by both the parties. I have gone through the terms of settlement and I find them quite fair and reasonable. So I accept it and make an award accordingly.

3. The memorandum of settlement shall form part of the award.

Enc : Memorandum
of Settlement.

N. K. SAHA, Presiding Officer

BEFORE THE HON'BLE PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRI-
BUNAL, SRIPALLI, MAIN ROAD, ASANSOL

REFERENCE NO. 46 OF 1990

PARTIES :

Employer in relation to the management of
Chora Colliery of M/s. E.C. Ltd., P.O.
Haripur, Distt. Burdwan.

AND

Their workman (Sri Lalit Kr. Roy) represented
by the General Secretary, CMSI (CITU),
Raniganj.

The employers and the workman jointly beg to
submit :—

1. That the industrial dispute which is subject matter of the above reference pending for adjudication before the Hon'ble Tribunal has been decided to be amicably settled by the parties on the following terms, subject to the approval of the Hon'ble Tribunal.

TERMS

2. (a) That without admitting the correctness of the contentions raised by the parties against each other in this case, it has been decided that the punishment imposed upon the workman concerned will stand reduced from suspension of 10 days to suspension of 3 days and for the remaining period of seven days, the workman concerned will be paid 50% of his wages on the rate then payable.
- (b) That the workman concerned will not be entitled to get any other benefit or to raise any other dispute regarding the above matter.
- (c) That the parties will bear their respective cost of this Reference.
- (d) That, it is agreed by the parties that the aforesaid agreed wages will be paid to the concerned workman by the Employer within one month from the date of the Award.

The Parties therefore jointly pray :—

That for enabling the parties to maintain a harmonious industrial relation in the Establishment the Hon'ble Tribunal will be pleased to pass an order permitting the parties to get the aforesaid industrial dispute settled amicably in terms of this settlement and to pass an Award accordingly by treating this settlement as a part thereof.

FOR & ON BEHALF OF THE WORKMAN

Sd/-

General Secretary
CMSI(CITU) Secretary
COLLIERY MAZDOOR SABHA OF INDIA
Affiliated to CITU
(Lalit Kr. Roy)
Concerned workman.

FOR & ON BEHALF OF THE EMPLOYER

Sd/-

Agent

Chora Colliery.

Sd/-

Dy. C.P.M.

Kenda Area. ECL.

WITNESSES :—

1. M. S. A. Mallick
2. Sushil Kumar
- 3.

नई दिल्ली, 18 फरवरी, 1992

का. प्र. 820.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यू इण्डिया एश्यरेंस कम्पनी लिमि. के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 17-2-92 को प्राप्त हुआ था।

[संख्या एफ-17012/5/88-डी-1 (बी)]

बी. के. वेणुगोपालन, उक्त अधिकारी

New Delhi, the 18th February 1992

S.O. 820.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial dispute between the employers in relation to the Management of New India Assurance Co. Ltd. and their workmen, which was received by the Central Government on the 17-2-92.

[No. L-17012(5)/88-D.I(B)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE SRI ARJAN DEV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, PANDU
NAGPUR, KANPUR

Industrial Dispute No. 189 of 1988

In the matter of dispute between :

Kumar Jyoti Kalra
D/o Laxaman Das
House No. 64
Tyagi Road
Dehradun.

And

Senior Departmental Officer
The New India Assurance Company Ltd.
Gulfam House
Astali Hall
Dehradun 248001.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-17012(5)/88-D-1(C) dt. 21-12-88, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of New India Assurance Company Ltd., in terminating the services of Kumari Jyoti Kalra w.e.f. 8-1-88 is legal and justified? If not, to what relief the workman is entitled?

2. The workman's case in brief is that she was appointed as a typist on 25-9-86 at Rajpur Branch of the Company for doing typing work of regular nature. However, she was not given any letter of appointment in this regard. She alleges that she worked as such continuously till 7-1-88 whereafter her services were terminated by the Manager Rajpur Branch, in violation of the provisions of section 25F I.D. Act, inasmuch as she was never given any notice or wages in lieu of notice nor she was paid retrenchment compensation. According to her the management paid her wages from 25-9-86 to January, 1987 at piece rate, from February 1987 to August 1987 on a daily wage of Rs. 25 and thereafter again at piece rate. She further alleges that after the termination of her services the management appointed 8 typists out of which two are working at Rajpur Branch of the Company. While recruiting fresh typists she was not given any opportunity of re-employment. Thus the management violated the provisions of section 25-H ID Act also. She has, therefore, prayed for her reinstatement with full back wages.

3. The case is contested by the management company. The management plead that Kumari Jyoti Kalra had never been in the employment of the company. As such there did not arise the question of issuing any appointment letter in her name. In fact she was given the job of typing policies, letters and statements and for doing the said job she was paid on the basis of different rates fixed by the company for each job. No timings of works were fixed for her work nor her work was ever supervised by any officer of the company. Recruitment in the company is made through Employment exchange. On receipt of names of candidates from the employment exchange a written test and interview are held. So far as she is concerned she has not gone through the said process. When she was not appointed, the question of termination of her services by the company w.e.f. 8-1-88 does not arise at all. I may state here that the management have nowhere pleaded in the written statement that she had worked at piece rate for such and such period when it was not difficult for the management to make a clear statement in this regard in the written statement on the basis of documents in possession of the company.

4. Both sides, in support of their respective cases, have led oral as well as documentary evidence. Km. Jyoti Kalra (now Smt. Kalra) has examined herself and the management has examined Sri S.K. Sharma Manager, (Sri Sharma had been the manager of Rajpur Branch of the company from 1984 to June 1988).

5. In this case the following three points arise for determination—

1. Whether she was a workman within the meaning of section 2(s) ID Act?
2. Whether the management terminated her services in violation of section 25F ID Act?
3. Whether the company contravened the provisions of section 25-H ID Act?

6. Point No. 1:—

Without specifying the period during which she had worked with the management in para 6 of the written

statement the management have pleaded that she was given the job of typing policies, letters and statements and she was paid on the basis of different rates fixed between the company and her. She used to submit bills for the work of typing done by her and after scrutiny she used to be paid on the basis of those bills.

7. Ext. W.1 is the copy of statement showing details of payments of wages to Smt. Kalra. from the details given it becomes evident that she had been working from before 14-10-86 and had worked till some time before 21-1-88 when final payment of Rs. 151 was made to her. The document has been admitted by the authorised representative for the management.

8. Ext. M-1 to Ext. M-14 are copies of bills and payment vouchers showing payment of typing charges for the typing work done by her during the period February 1987 to August, 1987.

9. Then there is the testimony of Smt. Kalra that she had done typing work for the management from 25-9-86 to 7-1-88. However, from the above documentary evidence her testimony stands modified to the extent that she had done typing work from 25-9-86 to 7-1-88, not continuously but intermittently.

10. Her case is that but for the period February 1987 to August 1987 when she worked on a daily wage of Rs. 25 during the rest of the period she was paid charges for the typing work done by her at piece rate.

11. Let us assume for the sake of arguments that she had been doing typing work at piece rate. In paras 5 and 7 of her affidavit she has deposed that she had been typing letters, statements and policies at Rajpur Branch of the Company, under the supervision of the manager and that like other employees of the company she was attending office and had been doing work on the typewriter of the company. Even carbon papers and typing papers were supplied to her by the company. In para 7 of his affidavit the management witness has deposed that some times she used to do typing work outside the office of the company and some times in the office of the company. This part of the statement of the management witness that some times she had been typing outside the office of the bank does not appear to be worthy of credence. No such suggestion was put to her in her cross examination by the authorised representative for the management nor such a plea has been raised by the management in their written statement. There is no evidence that she had been running a shop where she had been doing typing work of this company and the typing work of the public at large. In the event of her having done typing work on her own type writer the management could have led evidence by producing documents typed by her showing that they were typed by her on some type writer not belonging to the company. Thus it comes out from the evidence that whatever typing work was done by her it was done by her on the type-writer of the company and that the connection with the typing work the company supplied her stationery.

12. The management have raised the plea that no timings of work were fixed for the workman and no officer of the company ever supervised her work. If she had been doing the typing work in the office of the company it could easily be presumed that she must

have been doing the job under the supervision of some officer of the company. Supervision does not mean that the officer who is to supervise should sit by the side of the employee. After all some officer must be examining the typing work done by her. It virtually amounts to supervision.

13. Normally person who is working on piece rate will be presumed to have no fixed hours of working but the evidence and circumstance may show that from a person who had been paid at piece rate whole days work had been taken from him. So we will have to see whether she had been doing typing work throughout the office hours. This can be examined from the volume of work which she had done on each day. On this point the management withheld the statements showing details of work done by her submitted by her alongwith bills for payments deliberately. On the application dated 7-9-89 of Smt. Kalra for summoning of documents from the management, the Tribunal passed an order on 1-12-89 and in pursuance of the said order the management filed copies of vouchers of payment and bills submitted by Smt. Jyoti Kalra for the period February 1987 to August 1987 (Ext. M. 1 to M. 14). Ext. M-2, 4, 6, 8, 10 and 12 show that alongwith these bills she had submitted statements showing details of typing work done by her. The management could have filed the same for the purpose of determination of the point at issue. In these bills are given dates of every month on which typing job was done by her, amounts paid for the work done in each month when seen in the context of working days of that month it will be found that in each month during the period February 1987 to July 1987 she had done typing work attracting Rs. 25 a day as wages what a coincidence? Now let us have a look on document Ext. W. 1 which gives details of payments made to her from time to time beginning from 14-10-86 till 21-1-88. It will be seen that but for payments made on 14-1-86, 30-9-87, 30-12-87, and 21-1-88 the months paid are divisible by 25 in each case—again a coincidence!

14. The management could have shown by producing evidence that the typing work done by her on each day could be done by any regular typist in less than a day. We have seen that it is the definite case of Smt. Jyoti Kalra that at least during the period February 1987 to August 1987 she had been paid wages on a daily rate of Rs. 25.

15. I, therefore, from the evidence discussed above and the circumstances hold that she had been working in the Rajpur Branch of the Company and doing typing work during office hours. The fact that she had been doing typing work entrusted to her inside the office of the company with the typewriter of the company and the stationery provided by the company, she would be deemed to be a workman within the meaning of section 2(s) of the Industrial Disputes Act, 1947. The management are guilty of UNFAIR LABOUR PRACTICE. The management exploited the weakness of Smt. Jyoti Kalra, who had no alternative but to submit to the dictates of the company with regard to manner of payment of wages. Here reference may be made to section 10 of the Contract Labour (Regulation & Abolition) Act, 1970, under which the appropriate Government may prohibit by issuing a notification in the official gazette employ-

ment of Contract Labour in any Establishment. It is true that no such plea has been raised by the workman nor any notification has been cited from the side of the workman. Still from such a big public undertaking this method of getting work from a person is not appreciated at all. In public such companies give an image that they are MODEL EMPLOYER when actually they are not as has been seen by us in this case. I should not be taken as holding that she was a regular appointee. It could be said to be at the best an interim arrangement for clearance of typing work that had accumulated. In her cross examination Smt. Kalra has admitted that in connection with the employment as a typist she gave no application to the management nor her name was sponsored by the employment exchange. She has also deposed that she was not given benefits similar to three given to regular employees of the company. So point No. 1 is decided in favour of Smt. Jyoti Kalra and against the management.

16. Point No. 2 :

On this point we have to see whether she had worked at least for 240 days during the period 8-1-87 to 7-1-88. While referring to the documents on record I have shown how for each day of her working she was getting Rs. 25. If the amounts paid to her from 3-1-87 onwards as shown in Ext. W-1 are divided by Rs. 25 the number of days excluding Sundays and Holidays would come to 229 days and if to these are added proportionate number of Sundays the number of working days would come to more than 240 days. There is no dispute about the fact that she was not given one month's notice or one month's pay in lieu of notice besides retrenchment compensation at the time of her termination of services. Hence it is held that the management violated the provisions of section 25F I.D. Act. This being so even the oral order of termination is void abinitio.

17. Point No. 3 :

In para 18 of her affidavit Smt. Kalra has deposed that after the termination of her Services 8 typists were appointed by the management out of which one, namely, Sri Ashok Taneja was appointed in Rajpur Branch of the Company. There is no evidence in rebuttal from the management's side. Even there is no evidence from the side of the management to show that an offer was made to Smt. Kalra for re-employment as a typist. Therefore, the management is held guilty of violating the provisions of Section 25H of the I.D. Act.

18. In view of my above findings on the above three points, it is held that the action of the management of The New India Assurance Company Limited in terminating the services of Km. Jyoti Kalra (now Smt. Jyoti Kalra) w.e.f. 8-1-88 was neither legal nor justified. She as such is held entitled to her reinstatement with full back wages. Since she had been doing typing work she would get back wages at the minimum of the pay scale of the regular typists working in the management company with D.A., CCA H.R.A. etc as per Rules.

19. Reference is answered accordingly.

ARJAN DEV, Presiding Officer

नई दिल्ली, 20 फरवरी, 1992

का. आ. 821.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक आफ इण्डिया के प्रबंधन के संबंध में नियोजकों और उन के कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 17/2/92 का प्राप्त हुआ था।

[संख्या एल—12012/175/91—डो-आई आर (ए)]

वी. के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 20th February, 1992

S.O. 821.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Madras as shown in the Annexure in the Industrial Dispute between the employers in relation to the Mgt of Central Bank of India and their workmen, which was received by the Central Government on 17-2-1992.

[No. L-12012/175/91-IR(B-II)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL,
TAMIL NADU, MADRAS

Friday, the 31st day of January, 1992

PRESENT :

THIRU M. GOPALASWAMY, B.Sc., B.L.,
INDUSTRIAL TRIBUNAL

INDUSTRIAL DISPUTE NO. 77 of 1991

[In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Central Bank of India, Madras-6].

BETWEEN

The Workman represented by
The General Secretary,
Central Bank of India Staff Union,
No. 1, Pinjala Subramaniam Street,
T. Nagar, Madras-600 017.

AND

The Zonal Manager,
Central Bank of India,
159, Greaves Road, Madras 600006.

Reference : No. L-12012/175/91-IRB. II, dated 14-11-1991, Ministry of Labour, Government of India, New Delhi.

This dispute coming on this day for final disposal in the presence of Thiruvalluvar T. S. Gopalan, S. Ravindran, and N. C. Srinivasavaradhan, Advocates appearing for the Management upon perusing the reference, letter from the General Secretary of the Petitioner Union for not pressing its claim and other connected papers on record, this Tribunal passed the following

AWARD

This dispute between the workman and the management of Central Bank of India, Madras arises out of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in its Order No. L-12012/175/91-IR.B.II, dated 14-11-91 of the Ministry of Labour, for adjudication of the following issue :

Whether the action of the management of Central Bank of India in not posting Sh. K. Neelakanta Pillai as Daftary is justified. If not, to what relief is the workman entitled ?

2. Summons were issued to the parties.

3. Today when the dispute was called, the learned counsel for the Management filed a memo enclosing a letter from the Petitioner-Union addressed to the Management stating that Union is not pressing the claim of the workman Thiru K. Neelakanta Pillai, and prayed that this dispute may be dismissed as settled out of court. It is recorded.

4. In view of the memo., industrial dispute is dismissed as settled out of court.

Dated, this 31st day of January, 1992.

(SD) M. GOPALASWAMY, Industrial Tribunal

नई दिल्ली, 24 फरवरी, 1992

का. आ. 822.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार सैम्वी बी. सी. एल. की मूनीदीह प्रोजेक्ट के प्रवर्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. -I), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-2-92 को प्राप्त हुआ था।

[संख्या एल—20012/137/90—आई. आर. (कोल-I)]

बी. के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 24th February, 1992

S.O. 822.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, (No. I), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the Mgt. of Moonidih Project under the M/s B.C.C.L. and their workmen, which was received by the Central Government on 19-2-92.

[No. L-20012/137/90-IR(C.I)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD.

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 218 of 1990

PARTIES :

Employers in relation to the management of Moonidih Project under M/s B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri D. Mukherjee, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 7th February, 1992

AWARD

By Order No. L-20012(137)/90-I.R.(Coal-I), dated, the 26th September, 1990, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Moonidih Project under M/s. BCCL in dismissing Shri Puran Ch. Bouri, Miner/loader under dismissal order No. MND 20/Per/Dismissal/89/2120 dt. 24/27-9-89 is justified? If not to what relief the workman is entitled ?”

2. The case of the management of Moonidih Project, as disclosed in the written statement-cum-rejoinder, details apart, is as follows :

The present reference is not legally maintainable. At the request of several unions, it was decided in the year 1986-87 to give relief to permanent residents of Coalfield areas by providing employment in consideration of the general damage caused to surface land by mining operation apart from creation of environmental pollution. Some persons produced certificates based on false declaration of father's name, home address etc. and managed to secure employment. The concerned workman was one of such persons who made false declaration and sneaked into service. In 1989 it was detected that the concerned person was not the son of Dhanu Bouri of Village Gopinathpur, P.O. Lalpur, District Dhanbad. He falsely declared himself as son of Dhanu Bouri of Village Gopinathpur to take advantage of the employment facility provided to permanent residents of Dhanbad District. In the circumstances, he was issued with a chargesheet dated 7/8-3-1989. He submitted his reply dated 12-3-89 accepting his guilt of providing false declaration. He has admitted that his father's name is Haradhan Bouri and not Dhanu Bouri. He has taken the plea that Dhanu Bouri is his father-in-law. The writer of the document has made mistake and showed him as the son of Dhanu Bouri. His defence plea was considered as an afterthought and not genuine. In large number of documents written by several persons he described himself as the son of Dhanu Bouri and hence the management did not find his reply satisfactory and appointed Shri R. C. Srivastava, Senior Personnel Officer as Enquiry Officer. The Enquiry Officer held departmental enquiry in conformance to the principles of natural justice and submitted his report holding the concerned workman guilty of the charge levelled against him. The General Manager/C.M.E. concurred with the findings of the Enquiry Officer and approved

of the dismissal of the concerned workman from service. Accordingly, he was dismissed from service with effect from 24-9-1989 by letter issued under the signature of the Project Officer Agent of Moonidih Project.

3. The case of the concerned workman, as appearing in the written statement submitted on his behalf, is that he was appointed as a permanent miner/loader by the management after taking interview. He was appointed against permanent vacancy by M/S. B.C.C. Ltd. as per its own requirement. He is an illiterate Harijan workman. He was residing at Moonidih colliery with Dhanu Bouri. All the formalities and the form required to be filled up for the sake of appointment were done by some literate persons and at that time due to an inadvertent mistake his father's name was wrongly recorded as Dhanu Bouri. In fact, his father's name is Haradhan Bouri. He was not appointed in place of Dhanu Bouri or as the dependant of Dhanu Bouri. Despite these facts, the management issued him a chargesheet dated 8-3-89 on the alleged ground of theft, fraud, dishonesty and for giving false information. He submitted his reply to the chargesheet denying the charges emphatically. He has represented that due to inadvertence or mistake his father's name has been recorded as Dhanu Bouri whereas his actual father's name is Haradhan Bouri. He also represented that he was residing with his father-in-law, Dhanu Bouri and for that reason his father's name has been inadvertently written as Dhanu Bouri. In spite of the aforesaid fact, the management dismissed him from service after conducting invalid and irregular enquiry. He represented to the management several times against the illegal and arbitrary dismissal, but the management refused to reinstate him in service. In the circumstances, he raised an industrial dispute before the A.L.C.(C), Dhanbad. The conciliation proceeding ended in a failure due to adamant attitude of the management and the appropriate Government has referred the present dispute for adjudication by this Tribunal. In the circumstances, he has prayed that an award be passed directing the management to reinstate him in service with full back wages.

4. In rejoinder to the written statement of the concerned workman, the management has stated that the concerned workman was originally appointed as temporary miner/loader. The management has further submitted that he was appointed under special conditions as temporary miner/loader to be absorbed subsequently on permanent post. It has been asserted that he purposely and knowingly declared his father's name as Dhanu Bouri of Village—Gopinathpur, P.O. Lalpur, Distt. Dhanbad. Since he made false declaration, his misconduct is established. It has been denied that the management held invalid and irregular domestic enquiry and asserted that the domestic enquiry was held fairly and properly.

5. In rejoinder to the written statement of the management, the concerned workman has specifically denied the statement of facts made by the management for providing employment to the permanent residents of Coalfield areas or that he falsely declared himself as son of Dhanu Bouri of Village—Gopinathpur, P. O. Lalpur, Distt. Dhanbad in order to take advantage as permanent resident of Dhanbad District. He has asserted that declaration of his father's name as Dhanu

Bouri instead of Haradhan Bouri was due to inadvertence or mistake. He has asserted also that the domestic enquiry was not held in conformance to the principles of natural justice.

6. At the instance of the management the propriety and fairness of the domestic enquiry was considered as preliminary issue.

In the course of hearing the preliminary issue the management examined one witness, MW-1 R.C. Srivastava, who held domestic enquiry and laid in evidence a mass of documents which have been marked as Exts. M-1 to M-11. The concerned workman did not adduce any evidence, either oral or documentary, at the time of hearing the preliminary issue.

7. Admittedly, Puran Chandra Bouri, the concerned workman, was appointed Miner/Loader by the management after interview. According to the management, he sneaked into the employment by making false declaration with respect to his father's name in order to take advantage of the employment facility provided to permanent residents of Dhanbad District and that he disclosed his father's name as Dhanu Bouri instead of Haradhan Bouri who was his father. It is the further case of the management that it was detected in 1989 that he was not the son of Dhanu Bouri of Village—Gopinathpur, P.O. Lalpur, District Dhanbad and accordingly a chargesheet was issued to him. The chargesheet (Ext. M-1) reads as follows :

"You were appointed as Temp. Miner Loader in the year 1986. At the time of appointment you submitted papers mentioning therein that you are a son of Dhanu Bouri of Village-Gopinathdih, P.O. Lalpur, Dist-Dhanbad. But the family details submitted by Sri Dhanu Bouri, an employee of Moonidih, in service excerpt forms your name is not recorded as soon. Further, one witness who had signed on your verification roll has also given in writing that you are not son of Sri Dhanu Bouri.

This shows that at the time of appointment, you gave wrong information regarding your father's name and got employment by furnishing false information.

Your above acts constitute serious misconduct under clause 17(1)(a) and 17(i)(o) of the Certified Standing Order applicable to Moonidih project which reads as under :—
17(1)(a) :—Theft, fraud or dishonesty in connection with the employer's business or property."

17(i)(o) :—Giving false information regarding one's name, age, father's name, qualification or previous service at the time of employment."

You are hereby asked to explain in writing within 72 hours of the receipt of this chargesheet showing cause as to why suitable disciplinary action amounting even to dismissal should not be taken against you for committing abovementioned acts of misconduct.

Should you fail to submit your explanation as directed above, it will be presumed that you have no explanation to offer and thereafter, the management will take further action on merit of the case.

Till further order you will remain suspended. You are directed to get your attendance marked in M.T.K. Section daily at 9 a.m.

The concerned workman submitted his reply to the chargesheet denying the charge. The reply to the Chargesheet (Ext. M-2) reads as follows :

"That there is no gainsaying the fact that I am the son of Sri Haradhan Bouri and not of Sri Dhanu Bouri. But this mistake is bonafide and not at all intentional. The reason for this mistake is that at the time of my appointment as a temporary miner/loader I used to stay in the residence of my father-in-law Dhanu Bouri and my present address was such. It is probable that while dictating the address and name of my guardian Sri Dhanu Bouri, the writer of my application, forms etc. my father's name might have been written by him as Sri Dhanu Bouri. I am an illiterate person and I could not verify as to what has been written in the application/form etc. by one who wrote them on my behalf. To be very frank, an illiterate person is of no account, and a literate man does not care as to what an illiterate person says or thinks or what his view is and a literate person mostly imposes his views while writing about an illiterate person.

That I was given employment in accordance with the Scheme of Employment to the members of the Scheduled caste to which I also belong. I was not given employment in place of my father-in-law Sri Dhanu Bouri. My appointment was quite different from that under V.R.S. or under para 10.4.2 of N.C.W.A. II upheld by III. As such there was no necessity at all to conceal my father's name and show Sri Dhanu Bouri as my father. As such you will kindly appreciate that this mistake is quite bonafide and there was no guilty intention of my part for this wrong information and I have caused no loss or injury to the management in any manner whatsoever. By no stretch of imagination it can be inferred that I had any need to impersonate any body for the procurement of my employment under the management.

That you are at the helm of affairs of this Project and I am a humble poor workman under you. I need not elaborate much to make you understand my bonafide in this respect. I deny the charges levelled against me, as I have fallen a victim of circumstances and I confess that I had never any intention or necessity to show Sri Dhanu Bouri as my father and this is merely a mistake.

Under the above circumstances I say that the said mistake is quite bonafide and not at all deliberate and I have not caused any loss, injury or damage to the management in any way. I would, therefore, pray to your honour to consider my above statements and submissions in their correct perspective, withdraw the chargeheet and suspension order and allow me to join duty with full wages for the period of suspension. Whatever may be the reason for this mistake, I am sure that I am not guilty but still it is a mistake for me and on my behalf and for this I would further pray to your honour to kindly excuse and condone me and for this act of your grace I shall be highly obliged to you.

I fervently hope and trust that you will give your valuable thoughts to my above submissions and do justice to me, a poor and innocent worker under you."

8. Admittedly, the concerned workman is the son of Haradhan Bouri and not Dhanu Bouri. The content of the management is that he made false declaration with regard to his father's name in order to take advantage of the employment facility provided to permanent residents of Dhanbad District. It appears that he submitted verification roll, attestation form and identity certificate—all written in English, wherein he disclosed his father's name as Dhanu Bouri and that he belongs to scheduled caste community. His case is that he is an illiterate person belonging to Harijan community and that the scribe of these documents made a mistake while writing out his father's name. The evidence on record indicates that the concerned workman is an illiterate person and he belongs to scheduled caste community. As I have stated before, all the documents as aforesaid have been written in English. There is no evidence on record to indicate that these documents were read over to him by the scribe. The management has suggested that he disclosed his father's name falsely as Dhanu Bouri in order to sneak into the employment provided to permanent residents of Dhanbad District. There is absolutely no evidence on record to indicate that the management provided employment facility to permanent residents of Dhanbad District at the time when the concerned workman got the employment. He has not secured the employment in place of Dhanu Bouri nor has he got the employment as dependant of Dhanu Bouri. The management gave him employment as temporary miner/loader after he was found suitable in the interview. In the circumstances, it remains inexplicable as to why he should resort to falsehood in disclosing his father's name. Documents referred to above have all been written in English. Since there is no evidence on record that the scribe of these documents read over the contents thereof to him in Hindi, the possibility of disclosure of the father's name of the concerned workman by way of mistake or inadvertence on the part of the scribe cannot be ruled out.

9. The charge against the concerned workman is (ii) for giving false information regarding one's name, age, father's name, qualification or previous service at the time of employment.

Admittedly, he did not commit any theft, fraud or dishonesty in connection with his employer's business or property. Now it remains for consideration as to whether he gave false information regarding his father's name at the time of his employment.

The word 'false' may be used in wider or narrower sense. In the wider sense it will include all types of falsehoods, whether they be intentional or innocent, but in the narrower sense it will cover only such falsehoods which are intentional. Dismissal from service is a penal action and in the circumstances the word 'false' should be construed strictly. The contour of the expression 'false information' should be comprehended as wilful mis-information or deliberate deceptive information. In the present case there is no evidence to indicate that the concerned workman provided wilful mis-information or resorted to deliberate deceptive information in the manner of disclosure of his father's name. He provided wrong or incorrect information about the name of his father. But wrong or incorrect information is not comparable to or can be equated with false information. That being so, the charge against him for providing false information with regard to his father's name is not sustainable. Accordingly, the report of the Enquiry Officer holding him guilty of the charge levelled against him and subsequently his dismissal from service on the basis of the report of the Enquiry Officer is not also justified.

10. Accordingly, the following award is rendered—

The action of the management ofr Moonidih Project under M/s. BCCL in awarding punishment of dismissal of Shri Puran Chandra Bouri, Miner/Loader from service with effect from 24/27-9-89 is not justified. The order of dismissal of the concerned workman from service as passed by the management is hereby set aside. The management is directed to reinstate him in service with effect from the date of his dismissal from service and to pay him full back wages from the date of his dismissal till he is allowed to resume his duty. The management is further to allow him to resume duty within one month from the date of publication of the award and the concerned workman is also directed to report for his duty within that period.

In the circumstances of the case, I award no cost.

S. R. MITRA, Presiding Officer

नई दिल्ली, 17 फरवरी, 1992

का. आ. 823.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व श्रम न्यायालय कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-2-92 को प्राप्त हुआ था।

[संख्या एल—12012/22/90—आर. आर (बी-3)]

सुभाष चन्द शर्मा, बैंक अधिकारी

New Delhi, the 17th February. 1992

S.O. 823.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, cum Labour Court, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on the 17-2-92.

[No. L-12012/22/90-IR(B-3)]

S. C. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI ARJAN DEV PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT PANDU NAGAR, KANPUR.

Industrial Dispute No. 138 of 1990

In the matter of dispute between :

Sri Chandra Shekhar Dixit,
196/3 Jubi Lal Colony,
Kanpur-208001.

AND

Deputy General Manager,
State Bank of India,
Main Branch M-G, Marg,
Kanpur.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-12012/22/90-IR(B-3) dated 17-5-80, has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the Dy. General Manager, State Bank of India Main Branch Kanpur, in dismissing Sri Chander Shekhar Dixit, Record Keeper from service of the bank vide their letter No. DGM/PER/1204 dt. 4-7-88 is fair, just and legal? If not, to what relief the workman is entitled?

2. The industrial dispute on behalf of the workman has been raised by the workman himself. On 27th November 1991 Sri B. P. Saxena, the authorised representative for the workman made a statement that the workman had not to lead any evidence in the case and that on behalf of the workman he would only argue on the point that the finding given by the Enquiry Officer and accepted by the disciplinary authority, and later on confirmed by the appellate authority was perverse and also on the point of quantum of punishment. In view of the said statement of Sri Saxena on behalf of the workman I shall be referring to so much parts of the pleading as are covered by the above two points.

3. The admitted facts are that while the workman was posted as Record Keeper at the main branch of the bank at Kanpur, an F.I.R. in respect of an alleged fraud was lodged against him by the bank on 22-6-78. On 5-7-78, he was put under suspension and thereafter he was served with chargesheet dt.

23-10-78. Ext. M-2 is the copy of chargesheet. It contains four charges, but I shall be reproducing only charge nos. 2 & 4 on which the inquiry was held by the Enquiry Officer. These charges read as under :—

2. That Smt. Ram Kali a Savings Bank Account holder contracted you on the 8th June, 1978 to withdraw money from her Savings Bank Account. She was advised by you that her account had been transferred to inoperative savings bank account and she should come on the next day. When she came on 10th June 1978 to withdraw a sum of Rs. 4,000 and presented a withdrawal form therefore, it was reported that Savings Bank ledger no. 193 was found missing from the personal and Service Banking Division. The ledger was later on traced from block no. 3 record room on the 17th June 1978. You had earlier identified Smt. Ram Kali as three withdrawal forms for Rs. 1,000, Rs. 1,000 and Rs. 500 dated 30-4-76, 19-5-76 and 14-6-76 respectively which the lady claims were never tendered by her. Your involvement in the alleged wrongful withdrawals is suspected and our doubts are strengthened by your behaviour after the 8th June 1978 when Srimati Ram Kali approached you for helping her in withdrawing money from her account. The sudden disappearance of the ledger and its recovery from the room where you sit for work Lands added suspicion to your involvement in the case.
4. When you were Canteen Manager during the year 1973 you purchased certain articles from M/s. Mahadeo Prasad Sital Prasad 37/36 Gils Bazar, Kanpur, the payment of which was not made by you. Although the amount was spent by you out of the allocation granted by the bank to meet expenditure incurred under Canteens Head. This has given rise to complaints against you. This act on your part is highly detrimental to the interest of the bank (illegible).

The police filed a chargesheet against the workman under section 420 I.P.C. in the court of Additional Chief Metropolitan Magistrate, Kotwali, Kanpur. However, in the said case the workman was acquitted of the said charge by the ACMM, Kotwali, Kanpur. by means of his order dt. 7-5-83, copy Ext. M.22.

4. After his acquittal the workman applied for his reinstatement but instead the management decided to initiate disciplinary proceedings against the workman.

5. It was further ordered that the workman would continue to be under suspension. As already said by me above, the inquiry was held only in respect of the above two charges. The inquiry was conducted by Shri K. Radha Krishnan an officer of the bank, who vide his findings dt. 13-6-85 held charge no. 2 as proved against the workman.

6. Sri O. P. Bansal, Deputy General Manager, who happened to be the disciplinary authority vide his order dated 25-4-88, accepted the findings and issued a notice to the workman to show cause why he should not be dismissed from service. After hearing him, the Disciplinary Authority dismissed him from service vide his order dt. 4-7-88. Against the order of punishment the workman filed an appeal which was dismissed by the General Manager on 21-9-89 in his capacity as Appellate Authority.

7. As said in the beginning I shall be referring to that much part of the claim statement as is covered by the two points raised by Sri Saxena the authorised representative for the workman in his submissions before the Tribunal on 27-11-1991.

8. The workman has alleged that the finding given by the E.O. and accepted by the Disciplinary Authority and confirmed by the Appellate Authority has been arrived at on inadmissible evidence. After his acquittal by the ACMM he should have been reinstated with full salary for the period of suspension. Even if the bank desired not to keep him in service the bank could have proceeded under para 521(2)(c) of the Sastry Award relating to his discharge from his service. During the course of inquiry he was attaining the age of 58 years on 31-5-88. Therefore as per rules he should be deemed to have continued in service upto the age of 60 years of service.

9. On the other hand, it has been pleaded by the management in the written statement that the finding is quite just and is based on evidence and that the order of punishment does not call for any interference at the hands of the Tribunal, it is further pleaded by the management that the Tribunal being not a court of Appeal, it lacks right of appellate power to review the order of punishment dated 4-7-88.

The reference is bad in law. The management further plead that the age of retirement is no hindrance in the conduct of the disciplinary proceeding. There is no force in the point raised by the workman that he should be deemed as having continued in service till 60 years.

10. The following two points arise in the present case :—

1. Whether the evidence led by the management in the inquiry justifies the findings arrived at by the Enquiry Officer?
2. Whether the order of punishment calls for any interference at the hands of the Tribunal in exercise of its powers u/s. 11-A of the I.D. Act?

Point No. 1

After hearing the two sides and going through the evidence recorded during the inquiry I find that there is absolutely no evidence to prove the charges against the workman. It appears that the E.O. took the documents produced by the Presenting Officer before him during the inquiry as proved. The E.O. even relied upon the report of the hand writing expert when the hand writing expert had not been examined by the presenting officer to prove it. Thus I find force in the contention of Sri B. P.

Saxena the authorised representative for the workman that there is no evidence to substantiate even charge No. 2.

12. In support of what has been said by me above I refer to the proceedings dated 20-5-1985 of the E.O. When the E.O. asked the Presenting Officer to produce his witness, the Presenting Officer replied that he had not to produce any witness in support of the charges. Rather he submitted before the E.O. that charge was substantiated by the documentary evidence produced by him. This has been also referred to by the E.O. at page 3 of his report under the Evidences wherein the E.O. writes that the Presenting Officer produced 16 documents but produced no witness.

13. Although the evidence Act as such does not apply to quasi judicial proceedings, its principles some times do apply. In the instant case no one was examined by the Presenting Officer to prove the specimen signatures of Smt. Ram Kali on the Specimen Signatures Card. The specimen signatures on the said card could have been got proved by the Presenting Officer by producing either Smt. Ram Kali or some bank's officer who was conversant with the signatures of Smt. Ram Kali. Further no one was examined by the P.O. to prove that the signatures on the three withdrawal forms were not of Smt. Ram Kali. This fact could have been got proved by the Presenting Officer by producing Smt. Ram Kali or some bank official who was conversant with her signatures. Smt. Ram Kali could have said that the signatures on the withdrawal forms and the signatures on the back of these forms were not her. If the Presenting Officer wanted to rely upon the report of the hand writing expert he ought to have produced the hand writing expert in the witness box to prove it. All these are technical things, but law requires that the documents relied upon should be proved.

14. Sri S. N. Sharma, the authorised representative for the management has invited my attention to the reply dated 27-8-1988 of the workman to the charges. The photocopy of the reply is Ext. M-4, and the same has been admitted by the authorised representative for the workman. In para 3 of his reply the workman has alleged that in ordinary course he had identified the account holder and he never approached and persuaded the issuing officer to give the payment as would be evident from the written statement of passing Officer Sri L. N. Pandey. Sri Sharma says that this proves that the workman did identify the account holder Smt. Ramkali. But this in my opinion is not sufficient. The question is whether he identified her rightly or wrongly. As observed by me above the Presenting Officer ought to have examined Smt. Ram Kali to prove that these three withdrawal form did not bear her signatures, that even the signatures on the back of these forms were not her and that she did not receive any payment on the basis of these withdrawal forms. For all this Sri Sharma, the authorised representative for the management has no answer. Eventually he submitted that the Tribunal should examine the signatures of Smt. Ram Kali on the specimen signatures card and compare the same with the signatures appearing on the front and back of the

withdrawal forms. I may state here that the photocopies of the specimen signature card and the photocopies of the withdrawal forms have been filed by the management. I wonder how an advocate of his standing who has been also presenting on civil side wants that the Tribunal should also commit the same mistake as was committed by the Disciplinary Authority, Enquiry Officer and Appellate Authority. It is well settled law that even where the case proceeds ex parte the case has to be proved by the plaintiff by evidence. Mere filing of the documents does not mean that the documents stand proved unless they are admitted by the other side or unless they are public documents or unless they should be treated as governed under any law. In the absence of all this they are mere waste papers and cannot be relied upon by a court. Where is the evidence that the withdrawal form do not bear the signatures of Smt. Ram Kali on their front and back; and where is the evidence that she had not withdrawn the money on the basis of these withdrawal forms. The E.O. seem to have taken the fact stated in the complaint of Smt. Ram Kali as gospel truth without her appearing before him as witness and proving the contents of her complaints.

15. What I find is that the basic principles with regard to law of proof were given a good by the Presenting Officer, Enquiry Officer, Disciplinary Authority and the Appellate Authority. They were either not trained in the conduct of disciplinary inquiry or they had no knowledge of basic principle of law. The disciplinary authority/appellate authority should have noticed that prominent defect in arriving at the findings by the E.O. They could have very well recommended the case and given directions to the E.O. for fresh conduct of inquiry in the light of law of proof. There is nothing for me to presume that the Disciplinary Authority and the Appellate Authority were not in the known of the procedure to prove a fact. The lapses committed by the disciplinary authority and the appellate authority and even the E.O. and the Presenting Officer were not smaller or ignorable. In case the management takes strenuous steps against these officers and order recovery to the loss suffered by the bank on account of lapses on their part not only they but other like them would also become more cautious in the conduct of departmental inquiry. Because of these lapses the bank may be losing a good case against the workman, and may be put to a good pecuniary loss.

15. Sri Sharma, has submitted during the course of his arguments that the purported signatures of Smt. Ram Kali on the front and back of these withdrawal forms do not tally with her specimen signatures and appearing on specimen card. I may not to express any final opinion on it. Although apparently these signatures do not tally. While preparing the written statement on behalf of the management, Sri Sharma should have given proper and legal advice to the management. After noticing the fact that the workman had also challenged the fairness of the inquiry he should have, looking to the point whether the inquiry had been conducted fairly should have at once inserted a part in the written statement admitting the fact that the inquiry was not

conducted in a fair and proper manner and made a prayer in the written statement to the Tribunal for permitting the management to prove the charge before the Tribunal. Thus he could have saved the situation for the management. Before the Tribunal while leading the evidence in proof of the charges such lapses as has been noticed could not have occurred. If for any reason he failed to notice it at the time of preparing written statement he could have made such a statement and a prayer in the manner stated above by moving an application some time before 27-11-1991 when Sri Saxena on behalf of the workman for the first time submitted that the workman had not to lead any evidence and that he would argue simply on the points that the finding was perverse and that the punishment awarded was disproportionate. Such a step would have saved the situation for the management.

16. Hence on the point No. 1, I hold that the finding given by the E.O. and accepted by the Disciplinary Authority and later on confirmed by the Appellate Authority is perverse as there is no evidence to support it.

17. In view of my finding on point No. 1 the order of punishment will have to be set aside. There is no other way out.

18. Sri Saxena has further submitted that in the ordinary course the workman would have retired on 31-5-1988 on attaining the age of superannuation. Since the disciplinary authority passed the order of punishment on 4-7-1988, dismissing the workman from service he would be deemed to have continued in service till the age of 60 years. So while awarding back wages, it should be ordered that back wages should be calculated up to 31-5-1990. With this contention of Sri Saxena I do not agree. We have seen that the order of punishment no longer stands, he will be therefore deemed to have retired on 31-5-1988, on attaining the age of superannuation i.e. 58 years.

19. Held that the action of the management of State Bank of India in dismissing the workman from service of the bank is neither legal nor justified. The order of dismissal is set aside and since the workman has retired the management is directed to pay all the back wages from the date of his suspension to the date of his retirement with all the consequential benefits.

20. The reference is answered accordingly.

ARJAN DEV, Presiding Officer

नई दिल्ली, 18 फरवरी, 1992

का. धा. 824.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार माऊथ इन्डियन बैंक लि. के प्रबन्धतंत्र के संबंध में नियोजकों और उनके कर्मचारों के बीच

अनुबंध में निर्दिष्ट औद्योगिक विवाद में श्रम न्यायालय, इरनाकुलम के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/2/1992 को प्राप्त हुआ था।

[संख्या एल.—12012/96/86/डो IV (ए)]

एन. सी. शर्मा, डेस्क अधिकारी

New Delhi, the 18th February, 1992

S.O. 824.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Labour Court, Ernakulam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of South Indian Bank Ltd. and their workmen, which was received by the Central Government on the 18-2-92.

[No. L-12012/96/86-D.IV(A)]

S. C. SHARMA, Desk Officer.

ANNEXURE

IN THE CENTRAL GOVERNMENT LABOUR COURT, ERNAKULAM

(Labour Court, Ernakulam)

Monday, the 3rd day of February, 1992

PRESENT :

Shri R. Raveendran, B.A., B.L.,—Presiding Officer.

Industrial Dispute No. 82 of 1987(C)

BETWEEN

The General Manager, The South Indian Bank Ltd., H.O. Trichur, Kerala.

AND

Shri V. Rajasekharan Nair, Santhi Bhavan, T. C. No. 4/1216, North of Cliff House, Kawdiar P.O. Trivandrum.

REPRESENTATIONS :—

S/Shri M. Venugopalan & M. F. Joseph, Advocates, Trichur—1 : For the Management

Sri Abdul Shukur Khan, Advocate, Y.M.R. Junction, Kawdiar, Trivandrum—3 : For Workman.

AWARD

"Whether the action of the Management of South Indian Bank Ltd. in relation to its Parasala Branch (Trivandrum District) in terminating the service of V. Rajasekharan Nair, Sub staff with effect from 11-9-1982 is justified? If not, to what relief is the workman concerned entitled?" is the issue referred to this Court for adjudication as per the Order No. L-12012/96/86-D.IV(A) dated 21-8-87.

2. The termination was after a domestic enquiry. The validity of the domestic enquiry was tried by me as a preliminary issue. It was found in the preliminary order dated 25-6-1991 that the finding of the Enquiry Officer is perverse and unsustainable in law and there that finding was set aside giving an opportunity to the management to adduce fresh evidence before this Court to substantiate their case. The pre-

liminary order is appended to this award as Annexure.

3. Accordingly the management has examined MW1 to MW3 and marked Ext. M1 to M11 to prove the charges levelled against the delinquent. MW1 the Branch Manager of Pollachi Branch of South Indian Bank would depose that he was the Manager of the Parasala Branch during the period 27-4-78 to 29-4-82. The workman was the peon in the branch during that period. There were 3 employees in the bank namely Branch Manager, Cashier cum Clerk and a peon. One Santhoshkumar pledged gold in the bank for Rs. 2500 as per G.L. No. 220/77. When his brother came to the Bank to release the pledge on 16-8-79 after depositing the loan amount with the interest they opened the safe for taking out the ornaments from it and then it was found that the ornaments were missing. As the Manager was on privilege leave one K. J. Joseph was incharge of the Manager. There are 3 keys for the safe and 2 keys were kept by the Manager and one key was kept by the cashier. When the cashier cum Clerk had gone out of the bank, the peon would be alone in the bank. The Manager used to keep the key of the safe in his table when he would go out of the bank, and he would keep the key of the table in his possession. Subsequently he came to understand that his table could be opened with the key in the counter. When he enquired about the missing of these ornaments, the Manager could understand that the delinquent made a deposit of Rs. 6000 on 19-7-79 in T.V.R. Fund, Trivandrum and when the delinquent was further questioned, he gave a statement stating that he sold the ornaments in a shop 'Manimalika' at Chala Bazar. A Criminal case was also registered him and he was acquitted in this case. MW2 is the branch manager of Calcutta of South Indian Bank who would depose that he was in charge of the branch manager of the Parasala Branch for the relevant time and he has not entrusted to the delinquent to sell the ornaments. MW3 the Chief staff Superintendent in the South Indian Bank would depose that the services of the delinquent were terminated as per the provisions in the Bipartite settlement. Ext. M1 the application for transfer to Trivendrum from Parasala, was made by the delinquent. Ext. M2 is the judgment in the criminal case CC 610/80 of II Class Magistrate, Neyyattinkara. Ext. M3 is the receipt given by the delinquent to the management for the receipt of Rs. 1063.72 as provident fund amount payable to him. Ext. M4 is the receipt issued by the delinquent to the management bank for the receipt of Rs. 1596 towards the gratuity payable to him on termination of his service. Ext. M5 is the notice regarding the disciplinary proceedings. Ext. M6 is the procedure approved for conducting the enquiry. Ext. M7 is the suspension order. Ext. M8 is the memo of charges served on the delinquent. Ext. M9 is the notice of enquiry. Ext. M10 is the order by which enquiry officer was appointed. The testimony of MW1 would go to show that the delinquent has committed the misconduct of commission of theft of gold ornaments from the safe of the bank and those ornaments were sold in the shop of Chala Bazar. But he was acquitted by the criminal Court for the same offence as is evidenced by Ext. M2. MW3 would depose that

his service was terminated following the terms in Bipartite settlement of sub-section 2 of section 19(2) of Chapter 19. Chapter 19 clause 19.3(C) reads as follows :—

"If he be acquitted, it shall be open to the management to proceed against him under the provisions set out below in clauses 19.11 and 19.12 infra relating to discharges. However, in the event of the management deciding after enquiry not to continue him in service, he shall be liable only for termination of service with three months' pay and allowances in lieu of notice. And he shall be deemed to have been on duty during the period of suspension, if any, and shall be entitled to the full pay and allowances minus such subsistence allowance as he has drawn and to all other privileges for the period of suspension provided that if he be acquitted by being given the benefit of doubt he may be paid such portion of such pay and allowances as the management may deem proper, and the period of his absence shall not be treated as a period spent on duty unless the management so direct."

So this provision empowers the management to impose punishment on the delinquent even after the delinquent was acquitted by the criminal court. It can also be seen that the workman has accepted the provident fund amount as well as the gratuity from the management. In these circumstances, I hold that the management has succeeded in proving that the delinquent has committed the misconduct alleged.

4. Regarding the question of punishment, it is to be noted that the delinquent is a peon in a bank and he has committed the misconduct of theft of gold ornaments kept in the safe and the misconduct committed by the delinquent is very serious in nature. So he is deserved to be awarded the deterrent punishment. Hence, I find that the punishment imposed on the delinquent is justified and proper and there is no reason to interfere with the punishment imposed on the delinquent by invoking section 11A of the Industrial Disputes Act.

5. In the result, an award is passed confirming the punishment of Sri V. Rajasekharan Nair, the workman in this case.
Ernakulam,
3-2-1992.

R. RAVEENDRAN, Presiding Officer.

APPENDIX

Witnesses examined on the side of Management :—

MW1, Shri M. Ravindran,

MW2, Shri K. J. Joseph.

MW3, Shri P. L. Joseph.

Exhibits marked on the side of management :—

Ext. M1.—A letter dated 27-11-76 to the Chairman, South Indian Bank Ltd. from V. Rajasekharan Nair.

Ext. M2.—True Copy of the judgment in CC 610/80 of the Judicial IInd class Magistrate of Neyyattinkara.

- Ext. M3.—A receipt for Rs. 1063.72 executed by V. Rajasekharan Nair for getting the Provident Fund.
- Ext. M4.—Another Receipt for Rs. 1596 executed by V. Rajasekharan Nair for the getting the gratuity.
- Ext. M5.—Photo copy of a circular No. Staff B/5/77 dated 19-10-77.
- Ext. M6.—Photo copy of Director Board Resolution dated 29-9-77 showing the names of officers who are empowered to issue chargesheet, pass original orders and dispose of appeals etc.
- Ext. M7.—Photo copy of a Memo dated 11-10-79 issued to V. Rajasekharan Nair by the Disciplinary Authority.
- Ext. M8.—True copy of a Memo No. GS 1740/81 dated 1-9-81 issued to V. Rajasekharan Nair.
- Ext. M9.—Photo copy of Termination order (memo.) No. GS 1300/82 dated 11-9-82 issued to V. Rajasekharan Nair.
- Ext. M10.—A Note issued from the Staff Dept. dated 20-10-1981 which the enquiry officer was appointed.
- Ext. M11.—Book containing Bipartite Settlements between the Bank and workman.

ANNEXURE

IN THE CENTRAL GOVERNMENT LABOUR COURT, ERNAKULAM (Labour Court, Ernakulam)

Tuesday, the 25th day of June, 1991.

PRESENT :

Shri R. Raveendran, B.A., B.L., Presiding Officer.

Industrial Dispute No. 82/87/(C)

BETWEEN

The General Manager, the South Indian Bank Ltd., H.O. Trichur, Kerala.

AND

Shri V. Rajasekharan Nair, Santhi Bhavan, T.C. No. 4/1216, North of Cliff House, Kawdiar P.O., Trivandrum.

REPRESENTATIONS :—

S/Sri M. Venugopalan & M. F. Joseph. Advocates, Trichur—1 : For Management.

Sri Abdul Shukur Khan, Advocate Y.M.R. Junction, Kawdiar, Trivandrum—3 : For Workman.

PRELIMINARY ORDER

“Whether the action of the Management of South Indian Bank Ltd. in relation to its Parasala Branch (Trivandrum Distt.) in terminating the service V. Rajasekharan Nair, Sub Staff with effect from

11-9-1982 is justified ? If not, to what relief is the workman concerned entitled ?” is the issue referred to this Court for adjudication as per the Order No. L-12012/96/86-D.IV(A) dated 21-8-87.

2. According to the workman, he was working as a peon in the South Indian Bank Ltd., Parasala Branch, Trivandrum in October, 1979. While so purporting to be based on certain allegations he was placed under suspension pending enquiry. But the Disciplinary Authority did not proceed further in the matter. Instead, the Branch Manager, initiated Criminal prosecution and on the basis of a statement given by him the police had registered a Crime 227/79 under Section 381 of IPC. Subsequently a charge sheet was laid before the judicial Second Class Magistrate's Court, Neyyattinkara as CC 610/80. He was charged that he had committed theft of some gold ornaments kept in the bank and sold them. In the case he was acquitted. In that case the Manager filed a Criminal Revision Petition before the Session's Court, Trivandrum. But it was also dismissed. Till the Court acquitted him, the Bank did not resort to disciplinary action against him. But after the Management framed charges against him and memo of charges was issued on him requiring him to show cause why disciplinary action should not be taken against him. He submitted reply denying the charges. Not satisfied with the explanation submitted by him, the management decided to conduct an enquiry. The Management had appointed M. S. Kartha, Advocate, Trichur as the Enquiry Officer. The enquiry officer held enquiry and made the report finding that he is guilty of the charges. The conduct of the enquiry is total illegal and the order of termination passed on the basis of the side enquiry report is also illegal. The appointment of the Enquiry Officer by the General Manager is illegal as he is the Official of the bank. The finding of the Enquiry Officer is also illegal since his request to engage an advocate to participate in the enquiry is refused. The enquiry was neither fair nor proper. The enquiry officer was so much interested towards bank. The enquiry officer had not given him reasonable opportunity to defend his case. The appointment order was signed by the superintendent of the Bank. The order of suspension was caused by the Deputy General Manager and the memo of charges was issued by the Chief Superintendent of the bank. The enquiry was ordered and an enquiry officer was appointed by the General Manager of the bank. His service was terminated by the Deputy General Manager is disciplinary Authority. Therefore he is to be reinstated in service with full back wages.

3. The Management would contended as follows :

The workman joined the service of the bank in 1975 and he was working as a sub-staff in the Parassala Branch of the Bank in October, 1979. In the opinion of the management the employee committed certain offences. As provided by the Bypartite settlement the Management took steps to get the workman prosecuted and also suspended him. After taking steps to get the workman prosecuted for an offence it is open to the management to proceed against the employee by taking disciplinary proceedings. It is true that the criminal case against the workman ended in an acquittal giving benefit of doubt to the accused. When a workman is acquitted, it is open to the management to pro-

ceed against him as provided in the Bipartite settlement. An employee against whom disciplinary action is decided to be taken has to be given a charge sheet setting forth the circumstances appearing against him. In the event of the management deciding after enquiry not to continue him in service, he shall be liable for termination of service with three months pay and allowances in lieu of notice. In the case of the workman in this case the management decided to take disciplinary action and accordingly a charge memo dated 1-9-1981 was served on him directing him to submit his explanation if any. The workman submitted his explanation. It was found unsatisfactory. So it was decided to conduct an enquiry into the allegations levelled against him. He was also informed that he would be permitted to be defended by a representative of a union functioning in the bank in which he is a member. Since the bank was not obliged to allow a delinquent employee to be represented by a legal practitioner in a domestic enquiry the request of the workman to engage a legal practitioner was not allowed by the bank. After the enquiry when the disciplinary authority found that the charges were proved and that the finding of the Enquiry Officer that the delinquent is guilty is proper and acceptable, the workman was given an opportunity of personal hearing on the proposed punishment of termination of service. The workman was also offered the travelling expenses to Trichur and back. The workman availed that opportunity and made his representations. After going through the enquiry proceedings, connected papers, finding of the enquiry officer and the representations made at the time of personal enquiry it was decided not to continue the workman in service of the bank and accordingly terminated his service by giving him three months pay and allowance in lieu of notice. There is nothing illegal or wrong in the proceedings of the bank. Exercise of disciplinary powers is a managerial function. It is well within the powers of the management to decide on what all grounds or misconducts on which he can be chargesheeted. The employee need answer only the charges levelled against him. Misconducts consist in both wilful omissions as well as commissions. Wilful omission is not less a misconduct than a positive commission. In charge sheeting the workman the management has not suppressed anything. The management was not actuated by any malafides. What is obligatory on the part of the Management is to state the charges clearly. It is not bound to supply the basis on which allegations are founded or the nature of evidence intended to be adduced in support of the charges. For protecting the interest of justice and fairplay it is not necessary to issue a statement of facts along with the charge memo in matters of disciplinary actions relating to industrial misconducts. No denial of justice was caused to the workman. The disciplinary proceedings taken against the delinquent workman was quite in conformity with law and principles of natural justice. There was nothing wrong in appointing M. S. Kartha, Advocate, Trichur as enquiry officer. It does not militate against the principles of law or the spirit of the Bipartite Settlement. The General Manager of the bank is competent to appoint an Enquiry Officer. The enquiry held is legally valid. There is clear legal evidence to sustain the findings of the Enquiry Officer. The enquiry held was quite fair, proper, legal and valid. In case for

any reason the court comes to a conclusion that the enquiry held is not valid or proper the management is prepared to adduce evidence before this court and establish that the delinquent is guilty of the charges levelled against him. In case such a contingency arises the management may be given a chance to adduce evidence before this Court to substantiate its case. All amounts due to the workman has been paid. Gratuity and Provident Fund accounts of the workman are also settled. The action taken by the management in terminating the service of the workman is proper justifiable he is not entitled for reinstatement with or without back wages.

4. The workman has filed replication reiterating his claims in the claim statement and refuting the contentions in the written statement.

5. No evidence is adduced by either side at the time of trial. It was submitted by the Management that enquiry officer need not be examined and that the file need not be marked.

6. The delinquent was working as a sub-staff in the Parasala branch of the Bank in October, 1979. While so on the allegation that the delinquent committed certain offences, the management took steps to prosecute him and he was placed under suspension. On the basis of the action taken by the management the police registered a case crime number 227 of 1979 of Parassala Police Station against the workman under Section 381 of the Indian Penal Code. After investigation a chargesheet was filed before the Judicial Sub-Magistrate's Court, Neyyattinkara. The case was numbered as CC 610 of 1980 and the workman was tried in the said Court. The case ended in an acquittal giving benefit of doubt to the accused.

7. Thereafter the Management initiated disciplinary proceedings by issuing a memo of charges. The delinquent submitted his explanation denying the charges. Not satisfied with the explanation submitted by the delinquent, the management ordered a domestic enquiry by appointing an Enquiry Officer, who held the enquiry and made the report finding him guilty of charges. The workman was given an opportunity of personal hearing on the proposed punishment or termination of service. The workman was also offered travelling expenses to Trichur and back. The workman availed that opportunity and made his representations. After going through the enquiry proceedings, connected papers, finding of the enquiry officer and the representations made at the time of personal enquiry it was decided not to continue the workman in the service of the bank and accordingly his service was terminated.

8. The delinquent is challenging the findings of the enquiry officer and the charges made by the management and the competency of the enquiry officer to conduct enquiry. Enquiry Officer was much interested to the bank. The delinquent is challenging the authority of persons who issued the order of suspension, memo of charges and order of termination. Even though the delinquent has raised such objections to the mode of enquiry and the termination of service, the management has not adduced any evidence to prove that proper charge was framed. The authority who placed him under suspension is competent to do

so. The enquiry officer is also competent to conduct the enquiry and the enquiry was conducted following the principles of natural justice and findings entered by the enquiry officer is legal and proper. It was argued by the learned counsel for the management that the enquiry officer need not be examined. The learned counsel for the management would further argue relying on 19(2)(c) of the settlement of the Bipartite Settlement Act. If he be acquitted, it shall be open to the management to proceed against him under the provisions set out below in clauses 19.11 and 19.12 infra relating to discharge. The clause 19.11 reads as follows : When it is decided to take disciplinary action against an employee such decisions shall be communicated to him within 3 days thereafter. A reading of these clauses in the Bipartite in the payment would go to show that the management is competent to initiate disciplinary action proceedings against delinquent even though the delinquent was acquitted in a criminal proceedings. But it is the duty of the management to prove that he is guilty of the misconduct by conducting proper domestic enquiry after giving sufficient opportunity to the delinquent of being heard. In this case there is no satisfactory evidence to show that a domestic enquiry was conducted for proving the misconduct alleged against the delinquent and the enquiry officer held the enquiry following the principles of natural justice and the findings entered by the enquiry officer is legal and proper. In the circumstances on careful consideration of the entire evidence on records, I find that there is no proper and legal enquiry and there is no proper and legal findings entered by the enquiry officer.

9. In the result, a preliminary order is passed declaring that the enquiry conducted by the enquiry officer was not legal and proper following the principles of natural justice and the findings entered by the enquiry officer is also not legal and proper. But in view of the request of the management that in case it is found that the enquiry held is not valid and proper, the management is prepared to adduce evidence before this court and to establish that the delinquent is guilty of charges levelled against him, the management is given a chance to adduce evidence before this court to substantiate their case.

Dated this the 25th day of June, 1991.

R RAVEENDRAN, Presiding Officer

नई दिल्ली, 21 फरवरी, 1992

का.प्र. 825.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के प्रवचन में, केन्द्रीय सरकार, तुंगभद्रा ग्रामीण बैंक के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, प्रवचन में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम व श्रम न्यायालय, बंगलूर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-2-92 को प्राप्त हुआ था।

[संख्या एन-12012/11/88-डी-III (ए)]

ए.गं.सी.० नमो, डेस्क अधिकारी

New Delhi, the 21st February, 1992

S.O. 825.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of 547 GI/92—14.

the Central Government Industrial Tribunal-cum-Labour Court, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Tungabhadra Grameena Bank and their workmen, which was received by the Central Government on the 20-2-92.

[No. L-12012(11)/88-D.III(A)]

S. C. SHARMA, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated this the 10th day of February, 1992

PRESENT :

Shri M. B. Vishwanath, B.Sc. LL.B., Presiding Officer.

Central Reference No. 66/88

I PARTY :

Sri Janardhan S. Pai,
C/o. Tungabhadra Grameena Bank Employees Union,
No. 90, Valmiki Street,
Bellary-583101.
(By Sri V. Gopala Gowda, Advocate).
Vs.

II PARTY :

The Chairman,
Tungabhadra Grameena Bank,
Head Office,
32, Sangankal Road,
Bellary-583101.
(By Sri P. S. Sowkar, Advocate).

In this reference No. L-12012(11)/88-D.III(A) dated 16-12-1988 made by the Hon'ble Central Government in exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section 2(a) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the point for adjudication as per Schedule to reference is :—

"Whether the action of the Management of Tungabhadra Grammena Bank, Head Office, Bellary in terminating the services of Shri Janardhan S. Pai without conducting an enquiry is justified? If not, to what relief, is he entitled for?"

AWARD

On 10-2-1992, both the parties and counsel were present. They have filed a joint memo reporting compromise. The joint memo reporting compromise has been signed by both the counsel and parties.

2. The reference is accepted and award is passed in terms of the joint memo filed by the parties. Submit to Hon'ble Central Government alongwith copies of Joint Memo.

M. B. VISHWANATH, Presiding Officer.

BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, BANGALORE
C.R. No. 66/1988

BETWEEN

Janardhana S. Pai.—I Party—Workman.

AND

Chairman, Thungabhadra Grameena Bank
Bellary.—II Party—Management.

JOINT MEMO

The parties abovementioned beg to submit as follows :

1. In the above reference, the 2nd party management is called upon to justify its action in terminating the services of the 1st party workman vide order of reference dated 16-12-1988.

2. The 1st party workman was appointed as a Probationary Junior Clerk vide Order of Appointment dated 21-8-1985 and he reported for work on 30-8-1985. During the period of probation, his performance was found to be unsatisfactory and therefore, the probationary period was extended. As the performance thereafter did not improve, the 2nd party management terminated the services of the 1st party workman with effect from 28-2-1987, on account of the unsatisfactory performance during the period of probation. The 1st party workman has thereafter raised a dispute which has been referred by the Central Government to this Hon'ble Tribunal for adjudication.

3. The 1st party workman has thereafter filed his claim statement and the 2nd party management has filed its counter statement. After framing of issues, the 2nd party management has examined two witnesses.

4. Even during the pendency of the proceedings, the 1st party workman has been approaching the 2nd party management for an amicable settlement and has assured that he would work honestly and diligently without giving room for any remarks being made against him. The 2nd party management has accordingly considered the said request and after mutual discussions and negotiations, the parties herein have arrived at a settlement, the terms of which are as follows :

- (a) The 1st party workman agrees to give up his claim for reinstatement, back wages, gratuity and all other consequential benefits whatsoever.
- (b) In view of the above, the 2nd party management agrees to appoint the 1st party workman afresh as a Probationary Clerk in the pay scale of Rs. 1,000 as basic and other allowances. It is however distinctly made clear that the performance of the 1st party workman would be assessed in accordance with the Rules, for confirmation of his services or otherwise and the 2nd party management will be at full liberty to take action in the event of

the performance of the 1st party workman not being upto mark. The 1st party workman has no objection for doing so ;

- (c) The 1st party workman agrees to report for work on or before 10-3-1992 at HITNAL Branch ;
- (d) The 1st party workman accepts the above offer of appointment in lieu of all his claims in the reference before this Hon'ble Tribunal, including the claim of reinstatement, back wages, gratuity and all other consequential benefits. It is also agreed that the services of the 1st party workman during the period from 30-8-1985 to 28-2-1987 shall not be taken into consideration for any purpose whatsoever.

5. The terms of the settlement are fair, bonafide and worthy of acceptance. Hence, the parties pray that this Hon'ble Tribunal be pleased to accept the Joint Memo and dispose off the reference accordingly.

Bangalore,

Dated : 10-2-1992.

Sd/-

I PARTY WORKMAN
For Tungabhadra
ADVOCATE FOR
I PARTY WORKMAN
Grameena Bank
Chairman

Sd/-

II PARTY MANAGEMENT
ADVOCATE FOR II PARTY MANAGEMENT

नई दिल्ली, 24 फरवरी, 1992

का.या. 826.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ ट्रान्स्वाल् के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, कोलम के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-92 को प्राप्त हुआ था।

[संख्या एल-12012/38/89-डी-III (ए)]

एम० सी० शर्मा, डेस्क अधिकारी

New Delhi, the 24th February, 1992

S.O. 826.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Kollam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Travancore and their workmen, which was received by the Central Government on the 21-2-92.

[No. L-12012/38/89-D.III(A)]

S. C. SHARMA, Desk Officer

ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL, KOLLAM

(Dated, this the 10th day of February, 1992)

PRESENT :

Sri C. N. Sasidharan—Industrial Tribunal.

IN
INDUSTRIAL DISPUTE NO. 20/89
BETWEEN

The Managing Director, State Bank of
Travancore, Head Office, P.B. No. 34,
Trivandrum-695001.

(By Sri R. Lakshmana Iyer, Advocate, Trivandrum)

AND

The Secretary, State Bank of Travancore
Employees Congress, P.B. No. 38, Near
S. L. Theatres, Chetikulangara,
Trivandrum.

(By Sri N. Krishnan Kutty, Advocate, Trivandrum)

AWARD

The Government of India as per Order No. L-12012(38)/89-D. III(A) dated 19-4-1989 have referred this industrial dispute to this Tribunal for adjudicating the following issue :

"Whether the demand of the State Bank of Travancore Employees Congress for reckoning the seniority of the Security Guards from the date of their appointment as 'Off duty Watchmen' is fair and justified? If so, what should be the relief extended to S/s Maniyan and Siva Sankaran Nair, Security Guards?"

2. The secretary of the union espousing the cause of the workers involved in this case has filed a claim statement and the contentions are briefly as under : The State Bank of Travancore, the management, is a subsidiary of State Bank of India. The management used to appoint and post security guards at their various branches under the category of 'off-duty watchmen.' Permanent security guards were being appointed from this watchmen and promotions were also given based on the seniority of permanent security guards. The management was not following any just and reasonable criteria in preparing seniority list. They were giving the ranking in an arbitrary manner. They were not following the principle of seniority i.e. first come first gets the ranking. Watchmen appointed in 1978 and prior to that were included in the list of permanent security guards. Those who were taken earlier were given the ranking only later. Two of the off duty watchmen i.e. Sri S. Manian and Sri G. Sivasankaran Nair who were taken in January 1978 were given the ranking 11th and 14th in the seniority list whereas those who were taken subsequent to their appointment were given prior ranking. This was done arbitrarily in order to help their own 'off duty-watchmen.' Because of this the aforementioned two workmen were denied their subsequent promotion. Had they been given due ranking as on 1-1-1986 they would have been promoted to the post of Head Security Guard in May 1988. The seniority list as on 1-1-1986 was not subjected to any verification or hearing. They were given increments, leave and other benefits with reference to period commencing from the first date of their appointment. But in the matter of fixing seniority as on 1-1-1986 the period of their service from the first date of appoint-

ment has been ignored. This, according to the union, is arbitrary, illegal and against principles of natural justice. The claim is for higher ranking in the seniority list as on 1-1-1986 for these two workmen and also promotion to the post of Head Security Guard on the dates.

3. The claim of the union is opposed by the management. The contentions of management are briefly as under : The dispute relates to the seniority list of subordinate staff as on 1-1-1986. During January 1978 and April 1978 the management had interviewed some ex-servicemen and prepared a panel for being posted as 'off-duty watchmen'. Prepared a list included in this panel are to be engaged as temporary 'off-duty watchmen' in temporary vacancies. Such engagements were not being treated as regular appointments. In 1979 management had decided to fill up the post of 6/ Permanent Security Guards from the panel already prepared. The management accordingly issued appointment orders. Two of the workmen in this class joined the management service on 27-10-1989. The seniority in the service of security guards were decided on the basis of date of joining as Permanent Security Guard. The demand of the union that the spell of service put in as 'off-duty watchmen' should also be taken into consideration for the purpose of reckoning seniority. Such a demand is quite unjustified and illegal. Permanent vacancies of security guards were filled up from the state-wise panel on the basis of marks secured in the interviews conducted while preparing District-wise panel. If such spells of ad hoc service is reckoned for the purpose of seniority rank injustice will be caused to a candidate having higher rank in the state-wise panel. In the case of Sri Sivasankaran Nair and Sri Manian seniority was decided on the basis of their joining duty as regular seniority guards. One of them has been posting as Head Security Guards. On the basis of their ranking in the seniority list, they were not entitled to get a higher ranking for posting in special allowance carrying posts overlooking the seniority list. The proposed seniority list was sent to all the concerned branches/offices for the information of all the affected persons as per communication dated 30-5-1986. Service conditions of security guards are based on the Sastri Award as modified by the Desai Award and the Bipartite settlement between the employees unions and the Indian Bank Association. If the criterion adopted by the Bank is discarded it will unsettle the seniority and promotions already settled which may lead to industrial unrest. The management denies all other allegations made by the union. According to the management the workers are not entitled to any relief.

4. No oral evidence has been adduced by either side. However Exts. W1 to W7 on the side of the union and Exts. M1 to M7 on the side of management have been marked on mutual consent.

5. The claim of the union in this case is for reckoning the seniority of watchmen from the date of their first entry in the service for promotion to the post of Head Security Guard. According to the union the past service of Sri S. Manian and Sri. Sivasankaran Nair as 'off-duty watchmen' were ignored in calculating their seniority for the purpose of promotion. According to the management the practice in the Bank

is to fix the seniority only from the date of appointment on a permanent basis. It is evident from Ext. M7 statement filed by the management before this Tribunal on 20-8-1991 that S/s. Karunakaran Nair, Ayyappa Chetty and Sukumaran Nair were given ranks i.e. 4, 6 and 8 while Sri Sukumaran Nair and Sri. Pannian were given ranking as 11 and 14 respectively though they had entered in the service of the Bank as 'on-duty watchmen' prior to Sri. Karunakaran Nair and others. The union has taken steps to implead those watchmen who will be affected if the claim of the workmen is allowed but they did not get themselves impleaded though several opportunities were given to that from this Tribunal. Now the dispute arose when the promotion to the post of Head Security Guard in Trivandrum was considered.

6. Admittedly there are no statutory rules relating to the criteria for fixation of seniority of security guards. It is also not disputed that security guards are posted on regular basis in continuation of temporary service as 'on-duty watchmen'. But according to the management the 'on-duty watchmen' were appointed on an ad hoc basis as a stop gap arrangement when permanent watchmen were not available or when there are leave vacancies. But the fact remains that the 'on-duty watchmen' were appointed in permanent posts though temporarily from the list prepared by the management. In that temporary service the watchmen continuously work. Admittedly the temporary service has been taken into account either without break or nominal break in service for the purpose of privilege leave as per Ext. M4 circular of management. As held by the High Court of Gujarat in the case between M. Amirbai v. State of Gujarat (1985 11 LLW 939) even if there is any artificial break in service such artificial break should be ignored. In that case the petitioners worked for a period of two years although with short intervals and only for 29 days at a stretch. The court said that the re-employment over and over again although for 29 days at a time must be regarded as continuous. The management in the case before me has no case that there are break in the off duty service of watchmen. Now the contention of management is that seniority is to be determined only on the sole test of confirmation i.e. from the date of confirmation. Admittedly there is no statutory rule or executive instruction or orders for determination of seniority grade. In such a case the normal rule applicable would be to determine the seniority on the basis of length in service. This view is supported by the decision of the Supreme Court in Vasant Kumar Jaiswal v. State of Madhya Pradesh (1988 1 LLJ 322). In that case the same question was considered and the Supreme Court held in paragraph 2 of the judgment that in the absence of any statutory rule or executive memorandum or order laying down the rule for determination of seniority in a grade, the normal rule applicable would be to determine the seniority on the basis of length in service. This decision negatives the contention of management in the instant case that seniority is to be determined from the date of confirmation in the absence of any statutory rule or order. It is not established that the security guards are not having continuous service including the service of 'off-duty watchmen'. The

Supreme Court has again held in Union of India and Others v. Anusekhar Guin and Others (1989 1 CLR 141) that counting continuous length of service for fixation of seniority is a well accepted rule when the service rule does not prescribe a mode of fixing inter se seniority. Relying on the above Supreme Court decision the High Court of Allahabad has also decided the case between U.P. State Agro Industrial Corporation Ltd. v. the Labour Court and Others (1991 CLR 156). In the light of the above decisions the seniority cannot be determined on the sole test of confirmation as contended by the management. Further, seniority is always linked with length of service and not with merits. So the condition of the management that the seniority list has been prepared based on merits and therefore the workers are not entitled to count their past service is also devoid of merit in the light of the above Supreme Court decisions.

7. Admittedly the 'off-duty watchmen' were working temporarily in the vacancies of permanent/regular Security Guards. They were included in the list prepared by the management for appointment in such vacancies. It is also not disputed that the promotion post of Head Security Guard is also made from such off duty security guards who are working temporarily in the vacancies of permanent security guards. They are appointed as 'off-duty watchmen' in the temporary vacancies and such service is being continued until they are selected and confirmed in the regular cadre. As I have held earlier the management failed to establish that the appointment of 'off-duty watchmen' is only ad hoc or stop gap arrangement. In the written statement the management has clearly admitted that the nature of appointment of security guard is temporary. So the contention of management that seniority can be reckoned only from the date of confirmation is unsustainable. For my above view I seek support from the decision of the Supreme Court in Direct Recruit Class II Engineering Officers Association V. State of Maharashtra (AIR 90 SC 1607). In that case the Supreme Court has considered, among other questions, the counting of seniority from the date of appointment for the purpose of seniority. The observations made by the Supreme Court in paragraphs 13 and 44 are worth quoting. I may extract para 13 and relevant portion in para 44 :

13. "When the cases were taken up for hearing before us, it was faintly suggested that the principle laid down in Patwardhan's case (AIR 1977 SC 2051) was unsound and fit to be overruled, but no attempt was made to substantiate the plea. We were taken through the judgment by the learned counsel for the parties more than once and we are in complete agreement with the ratio decidendi, that the period of continuous officiation by a Government servant, after his appointment by following the rules applicable for substantive appointments, has to be taken into account for determining his seniority; and seniority cannot be determined on the sole test of confirmation, for, as was pointed out, confirmation is one of the inglorious uncertainties of Government services depending neither on efficiency of the in-

cumbent nor on the availability of substantive vacancies. The principle for deciding inter se seniority has to conform to the principles of equality spelt out by Arts. 14 and 16. If any appointment is made by way of stop-gap arrangement, without considering the claims of all the eligible available persons and without following the rules of appointment, the experience on such appointment cannot be equated with the experience of a regular appointee, because of the qualitative difference in the appointment. To equate the two would be to treat two unequals as equal which would violate the equality clause. But if the appointment is made after considering the claims of all eligible candidates and the appointee continues in the post uninterruptedly till the regularisation of his service in accordance with the rules made for regular substantive appointments, there is no reason to exclude the officiating service for purpose of seniority. Same will be the position if the initial appointment itself is made in accordance with the rules applicable to substantive appointments as in the present case. To hold otherwise will be discriminatory and arbitrary. This principle has been followed in innumerable cases and has been further elaborated by this Court in several judgments including those in *Baleshwar Dass V. State of U.P.*, (1981) 1 SCR 449; (AIR 1981 SC 41), and *Delhi Water Supply and Sewage Disposal Committee V. R. K. Kashyap*, (1989) Supp 1 SCC 194; (AIR 1989 SC 278), with which we are in agreement. In *Narender Chadha V. Union of India*, (1986) 1 SCR 211; (AIR 1986 SC 638) the officers were promoted although without following the procedure prescribed under the rules, but they continuously worked for long periods of nearly 15—20 years on the posts without being reverted. The period of their continuous officiation was directed to be counted for seniority as it was held that any other view would be arbitrary and violative of articles 14 and 16. There is considerable force in this view also. We, therefore, confirm the principle of counting towards seniority the period of continuous officiation following an appointment made in accordance with the rules prescribed for regular substantive appointments in the service."

44. To sum up, we hold that :

- (A) Once an incumbent is appointed to a post accordingly to rule, his seniority has to be counted from the date of his appointment and not according to the date of his confirmation. The corollary of the above rule is that where the initial appointment is only ad hoc and not according to rules and made as a stop-gap arrangement, the officiation in such post cannot be taken into account for considering the seniority."

- (B) "If the initial appointment is not made by following the procedure laid down by the rules but the appointee continues in the post uninterruptedly till the regularisation of his service in accordance with the rules, the period of officiating service will be counted."

The above observations of the Supreme Court settles the controversy here.

8. In the light of the above discussion I hold that the seniority or security guards has to be fixed on the basis of length of service commencing from the date of appointment as 'off-duty watchmen'. Therefore the two workers S/s. Manian and Sivasankaran Nair are entitled to get promotion for the post of Head Security Guard based on their seniority from the date of initial appointment as 'off-duty watchmen'.

9. In the result, an award is passed holding that the demand of the State Bank of Travancore Employees Congress for reckoning the seniority of Security Guards from the date of their appointment as 'off-duty watchmen' is fair and justified and S/s. Manian and Sivasankaran Nair are entitled to get promotion to the post of Head Security Guard.

C. N. SASIDHARAN, Industrial Tribunal

APPENDIX

Documents marked on the side of the Workmen :

- Ext. W1. Photocopy of letter from Sri S. Manian to Chief Security Officer dated 16-9-1978.
- Ext. W2. Copy of letter from Sri Manian to the Managing Director of management Bank dated 12-6-1986.
- Ext. W3. Photocopy of letter from the main branch of management to Sri Manian dated 23-8-1986.
- Ext. W4. Photocopy of letter from the union to the Managing Director of management dated 10-6-1988.
- Ext. W5. Photocopy of the Minutes of conciliation proceedings dated 9-1-1989.
- Ext. W6. True copy of failure of conciliation report dated 24-1-1989.
- Ext. W7. Photocopy of demand of union given to the Asst. Labour Commissioner, Central dated 1-8-1988.
- Ext. W8. Conciliation notice issued to the union from the Asst. Labour Commissioner, Central dated 11-10-1988.

Documents marked on the side of the Management :

- Ext. M1. True copy of record on discussion held at State Bank of India Central Office Bombay on 6th and 7th February, 1974 with the representatives of State's Sector Bank Employees Association.
- Ext. M2. True copy of circular issued to all branches of the management Bank dated 28-2-1975.
- Ext. M3. Photocopy of letter from Deputy Managing Director, Associate Banks to the

Management Bank, Trivandrum dated 1-10-1986.

Ext. M4. Photocopy of circular issued by the management Bank dated 6-1-1987.

Ext. M5. Photocopy of Bipartite meeting dated 14-12-1987.

Ext. M6. Photocopy of circular together with tentative seniority list as on 1-1-1986 of subordinate staff including security staff published by the management dated 30-5-1986.

Ext. M7. Statement showing service details of ten security guards filed by the management dated 20-8-1991.

नई दिल्ली, 24 फरवरी, 1992

का.आ. 827.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के सख्त नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण कोलम के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-92 को प्राप्त हुआ था।

[संख्या एल-12012/282/89-आई आर (बी-III)
एस. सी. शर्मा, डेस्क अधिकारी]

New Delhi, the 24th February, 1992

S.O. 827.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Kollam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on the 21-2-92.

[No. L-12012/282/89-IR (B III)]
S. C. SHARMA, Desk Officer

ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL, KOLLAM

(Dated, this the 7th day of February, 1992)

PRESENT :—

Sri. C. N. Aasidharan Industrial Tribunal

IN

Industrial Dispute No. 52/90

BETWEEN :

The Deputy General Manager, State Bank of India, Regional Office L.M.S. Compound, Trivandrum.

(By Sri. V. Janardhanan Pillai, Advocate, Kollam)
AND

Sri. C. Mohammed Basheer, Cholakkal House, Nilambur Road, Wandoor P. O., Malappuram Dist., Pin 679 328.

(By Sri. G. Haridas, Advocate, Kollam)

AWARD

The Government of India as per Order No. L-12012/282/89-I. R. B. III dated 19-2-1990 have

referred this industrial dispute to this Tribunal for adjudicating the following issue —

“Whether the action on the part of the management of State Bank of India in striking the name of Sri. Mohammed Basheer, Clerk-typist from the rolls of their Alleppey branch of the Bank w.e.f. 21-10-80 is legal and justifiable? If not, to what relief the workman is entitled to?”

2. Sri. Mohamed Basheer, the workman in this case have filed a detailed claim statement and the contentions are briefly as under: The workman was appointed as Clerk-typist by the management on 23-2-1978 and confirmed with effect from 23-8-1978. During the year 1979 he had been working in the Alleppey branch of the management. The management granted 15 days leave from 9-7-1979 to the workman on his request and due to sudden sickness leave was extended upto 22-12-1979 on medical grounds. He has submitted medical certificates also. During the month of December workman showed symptoms of mental imbalance and his physical condition was not at all good for resuming official duty. So he again submitted leave application for extension of leave. Due to the aggravation of mental ailment thereafter he was not in a conscious state of mind and was not aware that he was not attending duty. He was treated for mental disorder by several Doctors. His relatives took him to Dr. K. S. Mohan, a very famous specialist consultant in psychiatry attached to Kuthiravattom Mental Hospital. The workman had been undergoing treatment for schizophrenia from January 1980 till September 1988. Due to his illness he often went away from his house and wandering in Bangalore and Bombay. During this period he received a letter on 21-8-1980 from the management instructing him to report for duty within seven days. He has received that letter after one month i.e. 18-7-1980. His relatives took him to Alleppey branch two days after the receipt of letter for joining duty. But the branch manager informed his relatives and the workman that his name has been struck off from the rolls of the Bank on 20-2-1980. The losing of his employment has further caused deterioration in his mental balance and again he had to undergo treatment continuously till September 1988 with Dr. K. S. Mohan. During July 1987 he has shown good improvement in his mental condition and he sent several requests to the management for reinstatement. But the management did not head to his request. By representation dated 26-4-1989 the workman again requested for reinstatement to which the management replied stating that his name has been struck off from the rolls of Alleppey branch with effect from 21-10-1980 and hence management is unable to reinstate him in service.

3. The further case of the workman is that the action of management in striking his name from the rolls is quite illegal and unjustifiable. The management has terminated his service in violation of the express provision of the law. As per the attendance register of the Bank the name of the workman is struck off from the rolls on 20-2-1980 but by notice dated 18-7-1980 the management had warned him that unless he report for duty within seven days

his name will be struck off from the rolls. But his name was struck off from the rolls with effect from 20-2-1980. The management had no right to strike off the name of the workman on 21-10-1980. Leave was sanctioned to him on medical ground till 22-2-1979 and his absence from duty from 23-2-1979 to 19-12-1980 is neither unauthorised nor abandonment. Leave application has been submitted well in time even after 22-12-1979. The termination of the service of the workman has never informed or advised. The management has not issued him any charge sheet for unauthorised absence. No domestic enquiry was conducted and no order was issued by the management terminating the service of the workman. The arbitrary decision taken by the management is unsustainable in law. He was not given opportunity for personal hearing. As per the existing law it is incumbent on the management to hold an enquiry into the charge of misconduct even in case of unauthorised absence. For the misconduct of unauthorised absence the punishment of dismissal is too excessive and against provisions of Sasthry Award. It is a clear case of deliberate denial of employment. The failure to conduct a domestic enquiry is in violation of the right of protection guaranteed to the workman under Article 311 of the Constitution of India. He was the only earning member of his family having his wife, children and other relatives. He had completely recovered from the illness. The prayer is for reinstatement in service with all benefits.

4. The management while opposing the claim of the workman have advanced their contentions in the reply statement which are briefly as under : The management has never removed the workman from service but he has voluntarily abandoned his job by refusing to accept the instructions of management to rejoin duty. Hence it can be deemed that he has abandoned his job. After 23-12-1979 he has not presented or submitted any leave application. The management was not aware whether he has any mental imbalance. He has not reported for duty after 9-7-1979. He has not stated the names of Doctors who treated him and not given the details of the period of treatment. According to his statement he was under the care and custody of his relatives. None of the relatives informed the Bank authorities at Alleppey that he was suffering from mental imbalance. The management does not know whether the workman was wandering in Bangalore or Bombay. After accepting the letter dated 18-7-1980 issued by the management he has not reported for duty. The management denies the allegation that he has approached the Bank with his relatives and there was no occasion for the branch manager to state that the name of the workman was struck off from the rolls. Since the workman has not reported for duty the management issued an advertisement in Calicut Edition of Malayala Manorama Daily dated 6-10-1980 calling upon him to report for duty within fifteen days. Even then he did not report for duty. The management has never taken any steps to terminate his service.

Since he was voluntarily abandoned his job, the management has no other option but to remove his name from the Banks roll. The issuance of letter dated 18-7-1980 and the advertisement in Malayala Manorama Daily were done long before the present dispute. The removal of the workman from the Bank rolls is justifiable and legal. He is not entitled to any relief. He was given sufficient opportunity to join duty. Letter dated 18-7-1980 and the advertisement in Malayala Manorama make it clear that the management has no idea to terminate the workman. According to the management the workman has left India and that is the reason why he could not report for duty. The name of the workman was removed only on 22-10-1980. According to the management since the workman voluntarily abandoned his job since the last nine years and more there is no question of reinstating him in service.

5. The workman was examined himself as WW1. Two more witnesses were examined on his side as WW2 and WW3. Exts. W1 to W7 have also been marked on his side. The management has examined the manager of Alleppey branch as MW1 and the Superintendent of Government Mental Health Centre, Calicut as MW2. Exts. M1 to M7 have also been marked on the side of the management.

6. The workman in this case is claiming reinstatement in service on the ground that the management has terminated his service illegally and unjustifiably. According to him he has applied for leave due to illness with medical certificates after 9-7-1979 in continuation of his 15 days leave. But the management has extended leave upto 22-2-1979 and thereafter without complying with the provisions of the Industrial Disputes Act ('the Act') for short the management has terminated his service. According to the management the workman has not presented himself for work after 9-7-1989 and his leave was extended upto 22-2-1979. Thereafter he has voluntarily abandoned his employment and the management has not terminated his services. The definite care of the workman is that he has applied for leave with medical certificates after 9-7-1989 but the management ignoring his application has struck off his name from the rolls of the Bank with effect from 20-2-1980. MW1 who is presently the manager of the Alleppey branch of the management Bank, where the workman has worked before his termination of service, has stated that service record of the employee is the permanent record regarding his service. But that record relating to the workman is not at all forthcoming without any satisfactory explanation. The explanation of MW1 is that service record is kept in the zonal office is not at all convincing. Whether the workman had applied for leave after 9-7-1989 can be decided only from the service record that is not forthcoming. The management has placed reliance on Ext. M6 leave register. Page 63 of Ext. M6 is regarding the leave particulars of the workman. According to the management there is no entry in Ext. M6 after 9-7-1989 regarding the leave particulars of the workman which shows that he has not applied for leave. But admittedly leave was granted upto 22-12-1979 and there is no corres-

ponding entry in page 63 of Ext. M6. There are no entries at all in that page after 9-7-1989. That alone makes it clear that Ext. M6 is not kept and maintained properly in the ordinary course of business. So, Ext. M6 cannot be accepted as conclusive proof in support of the case of management. The non-production of service record of the workman and non-inclusion of entries regarding leave particulars of the workman after 9-7-1989 make me doubt the plea of the management that the workman has not applied for leave after 9-7-1989 and abandoned his employment. This contention of management therefore fails.

7. According to the workman he could not resume duty because of his mental imbalance and his physical condition for which he was under prolonged treatment of Dr. K. S. Mohan who was examined here as WW2. WW2 is a psychiatrist attached to the Institute of Mental Health and Neuro Sciences, Calicut. He has deposed that he is holding a post graduate Degree in Psychiatry that he was working in the National Institute of Mental Health and Neuro Sciences, Bangalore which is the largest Institute in the system of Psychiatry and Neuro Sciences in Asia. According to WW2 the workman was under his treatment from 1980 January to 1988 September and issued Ext. W7 certificate to that effect. WW2 has stated that he has first examined the workman while WW2 was working in Bangalore. The ailment of the workman was Schizophrenia, a mental disorder according to WW2. WW2 has proved Exts. W3 to W6 prescriptions and Ext. W7 Medical certificates issued by him to the workman during the period of treatment. He has identified the workman who was present in court. This witness has deposed that the workman was not in a position to resume his official duty during the period of treatment. It is true that the evidence of this witness is not supported by any records kept in the hospitals in Bangalore and Calicut. It is also true that as per Ext. M7 certificate issued and proved here by MW2, Dr. K. S. Balakrishnan, Superintendent of Government Mental Health Centre, Calicut that as per the records in that Hospital the workman was not treated there during the period January 1980 to September 1988. According to WW2 he was in Bangalore during 1980 MW1 has deposed that if a patient comes to the Hospital he can meet the Doctor and the Doctor will issue one O. P. ticket without number and such O.P. ticket cannot find a place in the register that day. This witness has further deposed that there is absolutely no evidence to show that if a patient meet the Doctor after 5 PM and treatment is taken after 5 PM as outpatient. According to WW2 the workman was treated as an outpatient. In these circumstances the non-inclusion of the name of the workman in the records of Calicut Mental Hospital cannot prove that the workman was not under the treatment of WW2 Dr. K. S. Mohan. Further, there are no justifiable reasons to disbelieve the categorical statement of WW2 supported by Exts. W3 to W7 documents proved through this witness that the workman was under his treatment. In Ext. W7 the seal of the hospital is affixed. Exts. W3 to W7 does not appear to be newly prepared falsely for the purposes of this case and there is no such case for management also. It is also quite unbelievable

that WW2 who is holding a post graduate Degree in Psychiatry and who has worked in the largest Institute in the system of Psychiatry and Neuro Sciences in Asia, has given false evidence before this court to help the workman. In this state of affairs I fully accept the evidence of WW2 and Exts. W3 to W7 and hold that the workman was under the treatment of WW2 as contended by the workman and that he was not in a position to resume his official duty.

8. Exts. M1 to M3 are Attendance Registers of the employees of the Alleppey branch of management. Exts. M1 is the Attendance Register for the period from 2-1-1979 to 8-12-1979. Ext. M2 is the Attendance Register for the period from 10-12-1979 to 20-2-1980. In both these registers the name of the workman is included. It is recorded in Ext. M1 that he has attended duty till 9-7-1979. Ext. M3 is the Attendance Register for the period 21-2-1980 to 11-5-1981 wherein the name of the workman is not included. The case of the workman is that in response to notice dated 18-7-1980 from management instructing him to join duty, his relatives took him to Alleppey branch for joining duty since he was suffering from mental imbalance but his relatives were told by the branch manager that his name was struck off from the Rolls with effect from 20-2-1980. According to management his name was struck off from the Rolls with effect from 22-10-1980 only after giving show cause notice dated 18-7-1980 and also issuing paper publication Ext. M4 on 6-10-1980 stating that he has absented unauthorisedly and instructing him to join duty. But what is stated in Ext. M4 paper publication is that the workman was not reported for duty after June 1979 which is patently wrong as is evident from page 33 of Ext. M1 that he was on duty from 26-6-1979 to 9-7-1979. As evident from Ext. A3 Attendance Register the name of the workman does not appear from 20-2-1980 onwards that means the management has terminated his services with effect from 20-2-1980. This also support the case of the workman that his relatives took him to Alleppey branch of management Bank and his relatives were told that his name was removed from the Rolls with effect from 20-2-1980. The evidence of WW3, another employee of Alleppey branch also fully support this contention of the workman. There are no reasons to disbelieve the statement of WW3 in this regard. The explanation of MW1 is that since the workman absented from duty for a long period the concerned clerk in the Bank has not included the name of the workman in Ext. M3 Attendance Register and there was no direction to that effect from the authorities to the clerk for doing so. But that clerk was not cited or examined to prove that explanation. It is also difficult to believe that a clerk has removed the name of the workman from the Rolls without the direction of concerned official. According to the learned counsel for management if the name of the workman was removed with effect from 20-2-1980 there was no necessity for issuing notice dated 18th July 1980 and Ext. M4 paper publication dated 6-10-1980. That can only be considered as an after thought to cover up the laches of the management in not complying with the provisions of the Act in removing the name of the workman from the Rolls with effect from 20-2-1980.

9. The learned counsel for the management placed reliance on Ext. M5 envelope in support of the contention that the workman unauthorisedly absented from duty and that it is a case of voluntary abandonment of service. Ext. M5 is addressed to the workman and there is an endorsement dated 27-10-1980 that the addressee out of India. Ext. M5 is not proved properly by examining the then Postman. Further the dates in the postal seals in Ext. M5 are 23-10-80, 25-10-1980 and 30-10-1980. These dates prove that Ext. M5 was issued after the name of the workman was struck off from the Rolls with effect from 20th February 1980. Therefore Ext. M5 will not come to the rescue of the management for removing the name of the workman with effect from 20-2-1980 without complying the provisions of the Act. As a matter of fact the management has removed the name of the workman from the Rolls with effect from 20-2-1980 itself without complying the provisions of the Act. The management has struck off the name of the workman again on 22-10-1980 which is quite illegal and unjustified.

10. Admittedly the management has not given any show cause notice for the alleged unauthorised absence before 20-2-1980. It is clearly evident from Exts. M1 to M3 Registers that the management has removed the name of the workman from the rolls with effect from 20-2-1980. As pointed out by the Supreme Court in *State Bank of India Vs. M. Sundara Money* (76FJR 49 Page 78) every termination spells retrenchment what so ever the reasons. The Supreme Court had occasion to consider in detail as to what amounts to retrenchment in the decision in *L. Robert D. Zuza V. Executive Engineer Southern Railway* [1982 (1) LLJ 330]. It was held that if termination of services of workman brought about for any reason what so ever it would be retrenchment except if the case falls within any of the excepted categories. The observation made by the Supreme Court in paragraph 6 of the judgement laid down by the law. The relevant portion of which is extracted as below :

"The definition of expression "retrenchment" in S. 2(00) is so clear and unambiguous that no external aids are necessary for its proper construction. Therefore, we adopt as binding the well settled position in law that if termination of service of a workman is brought about for any reason what so ever, it would be retrenchment except if the case falls within any of the excepted categories, i.e., (i) termination by way of punishment inflicted pursuant to disciplinary action; (ii) voluntary retirement of the workman; (iii) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf; or (iv) termination of the service on the ground of continued ill health. Once the case does not fall in any of the excepted categories the termination of service even if it be according to automatic discharge from

service under agreement would none the less be retrenchment within the meaning of the expression in S.2(00). It must as a corollary follow that if the name of the workman is struck off the roll that itself would constitute retrenchment, as held by this Court in *Delhi Cloth & General Mills Ltd.'s case* (supra)".

Again in the case between *Karnataka State Road Transport Corporation and M. Boraih* (1984 FJR 64, page 52), the Supreme Court has laid down that termination of service for any reason what so ever in the definition of retrenchment in Sec.2(00) of the Act covers every kind of termination of service except those not expressly included by the definition, or not expressly provided for by other provisions of the Act such as sections 25-FF and 25-FFF.

11. In the case before me as I have held earlier the name of the workman was struck off from the Rolls with effect from 20-2-1980 without giving any notice or any order to that effect and thereby terminated his services. The action of management is quite unjustified. In order to cover the unjustified action the management has issued a notice dated 18-7-1980 and Ext. M4 paper publication and intimated the workman by a reply letter dated 17-5-1980 that his name was struck off from the Rolls with effect from 22-10-1980. The management has thus struck off the name of the workman twice. The striking off his name with effect from 22-10-1980 is the question now before this Tribunal. The striking off the name of the workman from the Rolls amounts to termination of his services. He was not given any notice of termination or order terminating his services with effect from 22-10-1980. Even assuming that the workman did not apply for leave it can only be a case of unauthorised absence which is a minor misconduct as per Ext. W1 Sashty Award. The workman was not charge sheeted for such minor misconduct and no enquiry was conducted. The striking off the name of the workman for such minor misconduct is too excessive. The action of management is highly illegal on that count also. The striking off the name of the workman with effect from 22-10-1980 definitely falls within the definition of expression retrenchment in the light of the Supreme Court decisions cited above. Now the question remains is whether management has complied with the conditions set out in Sec. 25F of the Act. The management has not given notice in writing specifying the reasons for retrenchment or paid wages in lieu of notice. He was not paid compensation also. No notice prescribed in the manner was also served on the appropriate authority. Thus the management failed to comply with the conditions laid down in Sec 25F of the Act. Therefore the retrenchment is invalid as held by the Supreme Court in paragraph 7 of the decision reported in 1982 (1) LLJ 330 (supra). The workman is entitled to be reinstated in service. It is not established that the workman was gainfully employed during the period he was out of employment. Therefore he is entitled to get back wages also.

12. In view of the above conclusion I do not think it necessary to consider other contentions rais-

ed by the parties for the purpose of disposal of this case.

13. In the result, an award is passed holding that the action of management of State Bank of India in striking off the name of Sri Mohammed Basheer from the rolls of Alleppey branch with effect from 21-10-1990 is illegal and unjustifiable. The workman is therefore entitled to be reinstated in service with back wages and all other attendant benefits.

C. N. SASIDHARAN, Industrial Tribunal

APPENDIX

Witnesses examined on the side of the Workman

- WW1 Sri C. Mohammed Basheer
- W2 Dr. I. S. Mohan
- WW3. Sri P.U. Sainudeen

Witnesses examined on the side of the Management

- MW1. Sri. Antony D. Coto
- MW2. Dr. K. P. Balakrishnan

Documents marked on the side of the Workman.

- Ext. M1. Copy of Sasthri Award
- " W2. Copy of Deesai Award
- " W3. Prescription issued to the workman Sri. Mohammed Basheer by Dr. K. S. Mohan dated 4-11-1987
- " W4. O. P. Ticket in the name of Sri Mohammed Basheer by Dr. K. S. Mohan dated 4-4-1987
- " W5. O. P. Ticket in the name of Sri Mohammed Basheer by Dr. K. S. Mohan dated 8-12-1987
- " W6. O. P. Ticket in the name of Sri Mohammed Basheer by K. S. Mohan dated 4-3-1988
- " W7. Medical certificate issued to Sri Mohammed Basheer from Dr. K. S. Mohan dated 27-10-1988

Documents marked on the side of the Management

- Ext. M1. Attendance Register for the period from 2-1-1979 to 8-12-1979
- " M2. Attendance Register for the period from 10-12-1979 to 20-2-1980
- " M3. Attendance Register for the period from 21-2-1980 to 11-5-1981
- " M4. Photocopy of paper publication dated 6-10-1980
- " M5. Postal envelope
- " M6. Leave register of management for the period from 1977 to 1980
- " M7. Letter addressed to the Personnel Officer of the Zonal office of the management Bank from the Superintendent, Government Mental Health Centre, Calicut dated 17-5-1991.

नई दिल्ली, 19 फरवरी, 1992

का.प्र. 828.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन नेशनल बैंडोन कोचीन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच,

अनुबंध में निदिष्ट औद्योगिक विवाद में लेबर कोर्ट एरनाकुलम, कोचीन के पंचपद को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-2-92 को प्राप्त हुआ था।

[संख्या एन-14012/8/88-डी-2 (बी) पीटी
के.बी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 19th February, 1992

SO 828.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Labour Court, Ernakulam Kochi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Naval Canteen, Cochin and their workmen which was received by the Central Government on 17-2-92.

[No. L-14012/8/88-DII(B)(Pt.)]
K.V.B. UNNI, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT LABOUR COURT, ERNAKULAM

(Labour Court, Ernakulam)

Monday, the 3rd day of February, 1992

PRESENT :

Shri R. Raveendran, B.A., B.L., Presiding Officer.

Industrial Dispute No. 9 of 1989(C)

BETWEEN

The Area Manager, Indian Naval Canteen Service, Naval Base, Cochin-4.

AND

Shri A. M. George C/o Secretary, Indian Naval Canteen Service Employees, Union, Krishnaji Building, Ernakulam, Kochi-16.

REPRESENTATIONS :

Sri Alexnder Skaria, Advocate, Bishops Garden, Kochi-1. ... For Management.

M/s. M. Ramachandran & P.V. Abraham, Advocates, Kochi-17. ... For Workman.

AWARD

The issue "whether the action of the Area Manager, Indian Naval Canteen, Naval Base, Cochin-4 in compulsory retiring Shri A. M. George, Sweeper-cum-Mazdoor w.e.f. 4-3-86 is justified ? If not, to what relief the workman concerned is entitled ?" was referred to this Court for adjudication by the Government of India, Ministry of Labour, New Delhi as per Order No. L-14012/8/88-DII(B) dated 15-3-89.

II. Dismissal of the employees was after a domestic enquiry into the charges framed against him. The validity of the domestic enquiry was tried by me as a preliminary issue. facts necessary for the disposal of the case have been narrated in detail in my order dated 4-11-1991 under with the preliminary

issue was disposed of. I shall here extract that order in full :—

“PRELIMINARY ORDER

‘Whether the action of the Area Manager, Indian Naval Canteen, Naval Base, Cochin-4 in compulsory retiring Shri A. M. George, Sweeper-cum-Mazdoor w.e.f. 4-3-86 is justified? If not, to what relief the workman concerned is entitled?’ is the issue referred for adjudication to this court as per Order No. L-14012/88-D II(B) dated 15-5-1989.

2. The workman has filed claim statement stating as follows :

He was a Sweeper-cum-Mazdoor in the INCS, Cochin. He was compelled to face a domestic enquiry pursuant to certain alleged acts of insubordination. The main charge against him was that he had wilfully refused to clean the toilets attached to the INCS, on 1st and 2nd January 1985. The domestic enquiry conducted by the Civilian, Gazetted Officer was defective. The enquiry officer had little regard towards the principles of natural justice. He had thereby been prejudiced. Copies of documents were not given and no opportunity was given to pursue them. Examination and re-examination was without any regard to accepted practices. Even after the close of the case the presenting officer was allowed to produce fresh materials. He had submitted an application to the Disciplinary Authority for a change of the Enquiry Officer as he was biased. But the Disciplinary Authority had refused to interfere. They were had in gloves for producing concocted evidence. Even the prosecution witnesses admit that there was no water supply in INCS toilets or premises from about 9 A.M. to 12 A.M. and the water used to be brought from outside INCS premises by those who are employed for that work. As there was nobody to bring water from outside, on 1st and 2nd January 1985, cleaning could not be carried out. It was misrepresented as refusal. Further it had come out that the toilets were being cleaned after 12 noon. So the evidence on record itself exonerate the workman from the charges levelled against him. A smoke of allegation was made against the workman on unfounded reasons. The exhibits produced by the management themselves prove the bias. So an award may be passed directing the management to reinstate him in service with full back wages.

3. The management has filed statement of objection contending as follows :—

The delinquent A.M. George while employed as Sweeper-cum-Mazdoor in INCS, a memo charge was issued to him calling for his explanation why disciplinary action should not be initiated for the misconduct committed by him. He submitted his explanation denying the charges. Not satisfied with the explanation submitted by the delinquent the management decided to conduct the domestic enquiry. Accordingly an enquiry officer was appointed who had the enquiry and made the report Ext. M1 finding the delinquent guilty of the misconduct. Accepting the finding of the enquiry officer he was dismissed from service. The enquiry officer was not biased against him and the enquiry officer conducted the enquiry following the principles of natural justice. The finding entered by the enquiry officer is also legal and proper. The misbehaviour of

the workman was grave insubordination for which the penalty imposed was only fair and reasonable in the circumstances. Therefore he is not deserve to be reinstated in service without backwages.

4. The point that arises for consideration is whether the enquiry conducted by the enquiry officer is legal and proper and the findings entered by the enquiry officer is perverse.

5. For the Management MW1 was examined and Ext. M1 is marked.

6. Point : The delinquent while employed as a sweeper-cum-Mazdoor in INCS was served with a show-cause notice calling for his explanation why disciplinary action should not be initiated against him for the misconduct of in-subordination committed by him. The delinquent has submitted his explanation denying the charges. Not satisfied with the explanation submitted by him the Management decided to conduct the domestic enquiry by appointing an enquiry officer and the enquiry officer conducted the enquiry and made the report. Ext. M1 finding the delinquent guilty of the misconduct. Accepting the finding of the enquiry officer the delinquent was awarded the punishment of compulsory retirement. Aggrieved by the said punishment the workman espoused the cause by raising an Industrial Dispute which culminated in this reference.

7. The delinquent is challenging the enquiry and the findings on the grounds that the enquiry is conducted in violation of principles of natural justice and the finding of the enquiry officer is perverse and the enquiry is biased. The enquiry officer was examined as MW1 who would depose that he has conducted the enquiry following the principles of natural justice and impartially giving sufficient opportunity to the delinquent of being heard. In the cross examination he would depose that the enquiry proceedings were written by his stenographer and the witnesses who had spoken to in Malayalam were translated and recorded in English. He would further depose that the delinquent was given 5 days to peruse the documents. He would further depose in the cross examination that when he went for measuring the distance of water tank to toilet no notice was given to the workmen or the management. A reading of Ext. M1 would go to show that the enquiry officer has given sufficient opportunity to the delinquent of being heard. The delinquent was also given sufficient opportunity to peruse documents. It can also be seen that the workman has participated in the enquiry and cross-examined the witness of the management who were examined to prove the charges and the delinquent has examined his own witnesses. According to the workman finding is liable to be set aside for the reason that the finding of the enquiry officer is based on evidence recorded by person other than enquiry officer. But it is pertinent to note that in this case what the enquiring authority did was to hear the witness himself and not to delegate task to anyone else. When the witnesses spoke in Malayalam he translated it to English and got it typewritten by typist so it cannot be said that the evidence was recorded by a person other than the enquiring authority. Therefore, I hold that it cannot be held that the enquiry liable to be set aside because of the fact that when the witnesses spoke in Malayalam. The

enquiry officer translated it to English and got type-written by the typist. Yet another contention raised by the delinquent is that the enquiry officer was biased. But it is pertinent to note that it is duty of the workman to prove the plea of biased. But there is no satisfactory and convincing evidence in the case to prove that the enquiry officer was biased. Therefore, I hold that the enquiry officer was not biased in conducting in the enquiry and he has conducted the enquiry impartially affording sufficient opportunity to the delinquent to prove his innocence. In these circumstances, I find that the enquiry conducted by the enquiry officer is legal and proper as it is conducted following the principles of natural justice.

8. Concerning the finding of the enquiring officer, it is to be noted that the delinquent was charge sheeted for the misconduct of insubordination it is stated as follows :— "The duties of Shri A. M. George, Sweeper-cum Mazdoor of INCS Cochin were defined in AFM No. 24/84 issued on 5th October, 1984 and a copy of the same issued to him under acknowledgement. Shri A. M. George, has been carrying out the defined duties with reservations and did not carry out the duties prescribed up to 12.00 hours. On 1st and 2nd January, 1985 resulting around inconvenience to the staff and customers. He was verbally instructed by the manager grade I and the Accountant (Spl. Grade) to carry out his prescribed duties upto 12.00 hours. On 1st and 2nd January, 1985 but Shri A. M. George wilfully refused to comply. This is gross misconduct unbecoming of an INCS employee". The testimony of PW1 the Manager, Grade I corroborated with the testimony of PW2 the special grade Accountant would prove the fact that the delinquent has committed the alleged misconduct. It is also to be noted that the fact that the delinquent fail to cleaning the toilet is admitted. His defence is that he was not in a position to clean the toilets for the reason that there was no supply of water for doing the cleaning work in the toilets. But it is to be noted that it is duty of the delinquent to clean the toilets. It is also to be noted that he refused to carry out his duties despite PW1 gave him written order directing him to do his duties. In these circumstances, I hold that the enquiry officer has recorded that the delinquent is guilty of misconduct relying on the legal evidence available in the enquiry and on appreciation of the evidence of PW1, PW2 and PW3, it can be seen that the management has succeeded in proving the charges levelled against the delinquent. Therefore, I find that the findings of the enquiry officer is not perverse as it is supported with legal evidence.

9. In the result, a preliminary order is passed finding that the enquiry conducted by the enquiry officer is legal and proper and the finding entered by the enquiry officer is also legal and proper."

III. The question remains to be considered is regarding the justifiability and propriety of the punishment of compulsory retirement imposed on the delinquent for the misconduct of failure to clean the toilets as directed by Superior Officers and thereby the misconduct of insubordination is committed by the delinquent. The learned counsel for the workman would argue that the punishment imposed on the delinquent is disproportionate to the gravity of misconduct. On consideration of the nature of mis-

conduct committed by the delinquent and other attendance circumstances, it has to be held that the punishment of compulsory retirements imposed on the delinquent is disproportionate to the gravity of misconduct committed by him. Hence I hold that punishment imposed on the delinquent cannot be justified and it is not proper. Therefore, I hold that it is fit case to interfere with the punishment imposed on the delinquent by invoking section 11A of the Industrial Disputes Act, and the ends of justice will be met if he is reinstated in service without backwages as the forfeiture of backwages is sufficient punishment to the delinquent for the misconduct he committed.

IV. In the result, an award is passed directing the Management to reinstate him in service without backwages but with continuing of service.

Ernakulam :

3-2-92.

R. RAVEENDRAN, Presiding Officer.
Appendix

Witness examined on the side of Management :—
MW1.—Sri V. T. John.

Exhibits marked on the side of Management :—

Ext. M1.—File containing proceedings and report of domestic enquiry.

Sd/-
Presiding Officer.

नई दिल्ली, 24 फरवरी, 1992

का.आ. 829.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा भारत के राजपत्र के भाग-II खंड 3(ii) दिनांक 8-9-90 में प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना का.आ. 2401 दिनांक 27 अगस्त, 1990 में निम्नलिखित संशोधन करती है :—

"इस प्रयोजनार्थ केन्द्रीय सरकार द्वारा मान्यता प्राप्त नियोजक संगठन के परामर्श से धारा 4 के खण्ड (प) के अधीन केन्द्रीय सरकार द्वारा नियुक्त" शीर्षक के अन्तर्गत धारा 20 के सामने की प्रविष्टि के लिये निम्नलिखित प्रविष्टि प्रतिस्थापित की जायेगी, अर्थात् :—
'विशेष सचिव, मेघालय सरकार,
श्रम विभाग, मेघालय राज्य सरकार
(शिलांग)।"

[संख्या यू-16012/4/90-एस एस-1]
जे० पी० शुक्ला, अवसर सचिव

New Delhi, the 24th February, 1992

S.O. 829.—In exercise of the powers conferred by Section 4 of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour S.O. No. 2401, dated the 27th August, 1990, published in the Gazette of India, Part II, Section 3(ii) dated the 8th September, 1990.

In the said notification under the heading "Appointed by the Central Government under clause (d) of Section 5 in consultation with organisation of employers recognised by the Central Government for

the purpose" for the entry against Serial No. 20 the following entry shall be substituted :—

Special Secretary to the Government of Meghalaya,
Labour Department,
Government of Meghalaya,
Shillong.

[No. U-16012/4/90-SS. I]
J. P. SHUKLA, Under Secy.

नई दिल्ली, 24 फरवरी, 1992

का.भा. 330.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा भारत के राजपत्र के भाग-II, खंड 3(ii) दिनांक 8-9-90 में प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना का.भा.सं. 2401 दिनांक 27 अगस्त, 1990 में निम्नलिखित संशोधन करती है :—

"इस प्रयोजनार्थ केन्द्रीय सरकार द्वारा मान्यता प्राप्त नियोजक संगठन के परामर्श से धारा 4 के खण्ड (च) के अधीन केन्द्रीय सरकार द्वारा नियुक्त" शीर्षक के अन्तर्गत क्रमांक 34 के मामले की प्रविष्टि के लिये निम्नलिखित प्रविष्टि प्रतिस्थापित की जायेगी अर्थात् :—

श्री आर.एम. भंडारी
ए-231 न्यू फ्रेंड्स कॉलोनी,
नई दिल्ली-110065।

[संख्या यू-16012/4/90-एस एस-I]
जे.पी. शुक्ला, अधर सचिव

New Delhi, the 24th February, 1992

S.O. 830.--In exercise of the powers conferred by Section 4 of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour S.O. No. 2401, dated the 27th August, 1990, published in the gazette of India Part II, Section 3(ii) dated the 8th September, 1990.

In the said notification under the heading "Appointed by the Central Government under clause (f) of Section 4 in consultation with organisation of employers recognised by the Central Government for the purpose" for the entry against Serial No. 29 the following entry shall be substituted :—

MR. R. M. BHANDARI
A-231 New Friends Colony,
New Delhi-110065.

[No. U-16012/4/90-SS. I]
J. P. SHUKLA, Under Secy.

नई दिल्ली, 25 फरवरी, 1992

का.भा. 831.—औद्योगिक नियोजन (स्थायी आदेश) अधिनियम, 1945 (1946 का 20) की धारा 14 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एस्.द्वारा जवाहरलाल नेहरू पत्तन के स्वामित्व

वाले या प्रबंधन वाले औद्योगिक प्रविष्टियों को उपयुक्त अधिनियम के सभी उपबंधों से छूट प्रदान करती है अर्थात् :—

- (1) पत्तन प्राधिकारी उपयुक्त अधिनियम की अनुसूची में निर्दिष्ट मामलों के बारे में अधिनियम में उपर्युक्त किया गया अथवा भाषाओं जिसे अधिकांश कर्मकार समझते हों के पैम्फलेट में समेकित नियमावली प्रकाशित करें या प्रकाशित करवाएं;
- (2) इस नियमावली में संशोधन करने से पूर्व पत्तन प्राधिकारी नोटिस बोर्ड पर नोटिस लगाकर प्रस्तावित संशोधन के बारे में संबंधित कर्मकारों को सूचित करें और इस नोटिस के उत्कीर्ण दिन के अन्दर भेजी गई आपत्तियों या सुझावों पर विचार करें;
- (3) उपर्युक्त खंड (1) में विनिर्दिष्ट पैम्फलेट तथा इसमें किए गए प्रत्येक संशोधन की एक-एक प्रति संबंधित कर्मकारों को दी जाए।

[सं. एस-12014/1/91-समन्वय]
एम.आर. कुलकर्णी, उप-सचिव

New Delhi, the 25th February, 1992

S.O. 831.--In exercise of the powers conferred by section 14 of the Industrial Employment (Standing Orders) Act 1945 (20 of 1946) the Central Government hereby exempts the industrial establishments under the ownership or Management of Jawaharlal Nehru Port, from all the provisions of the said Act Subject to the following conditions, namely :—

- (i) The Port Authority shall publish or cause to be published consolidated rules relating to the matters set out in the schedule to the said Act Pamphlet in the English Languages and the Language or Languages understood by the majority of the workmen ;
- (2) before making any amendment to the said rules, the Port Authority shall inform the workmen concerned by a notice on the notice board of the proposed amendment and shall consider any objection or suggestion that may be made thereto within twenty one days of such notice ;
- (3, a copy of the pamphlet referred to in a clause (i) above and a copy of every amendment thereto shall be supplied to each of the workmen concerned.

[No. S-12014/1/91-Coord.]
M. R. KULKARNI, Dy. Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 25 फरवरी, 1992

का.भा. 832.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में गोलबरा-1 से पश्चाजण जी.जी.एस. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में आयोग का अधिकार अजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप धारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप मक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

गोलद्रा-1 से पक्खाजन जी जी एन तक पाईप लाईन बिछाने के लिए				
राज्य : गुजरात	जिला : भरुच	तालुका : बागरा		
गांव	ब्लॉक नं.	हे.	आर.	सेटी
नरनावी	30	0	26	15
	18/ग	0	12	48
	18/बी	0	10	32
	16/बी	0	23	93
	12	0	12	48
	11	0	09	88

[सं. ओ-12016/151/91-ओ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 832.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Goladra-1 to Pakhajan Gas in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from Goladra-1 to Pakhajan GGS.

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	He- tare	A c Ch- la e
Narvani	30	0	25 15
	18/A	0	12 48
	18/B	0	10 32
	16/B	0	23 93
	12	0	12 48
	11	0	09 88

[No. O-12016/151/91/ONG. D. IV]

M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी, 1992

का. मा. 833.—अतः केन्द्रीय सरकार को यह प्रतीत होता है कि जो कि हित में यह आवश्यक है कि गुजरात राज्य में जी एन एक्स आई से जी एन एक्स तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जाती चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप मक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी एन एक्स आई से जी एन एक्स तक पाईप लाईन बिछाने के लिए				
राज्य : गुजरात	जिला : भरुच	तालुका : जंबुसर		
गांव	ब्लॉक नं.	हे.	आर.	सेटी
नडीयाद	45/2	0	08	84

[सं. ओ-12016/152/91-ओ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 833.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNXI to GNAQ in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquired that right of user in the land described in the scheduled annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum

and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNXI to GNAQ.

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hec- tare	Are	Centiare
Nadiyad	45/2	0	08	84

[No. O-12016/152/91-ONG. D. IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 25 फरवरी, 1992

का.प्र. 834.---अतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एन एक्स आई से जी एन ए स्क्व तक पेट्रोलिएम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस उपयोग द्वारा बिछाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलिएम और खनिज पाइपलाइन (जमीन में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अर्थात् कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के लोके पाइपलाइन बिछाने के लिए विशेष सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस उपयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी एन एक्स आई से जी एन ए स्क्व तक पाइप लाईन बिछाने के लिए
राज्य : गुजरात जिला : भरुच तालुका : जंबुसर

गांव	ब्लॉक नं.	हे	घार	सेंटी
1	2	3	4	5
घांसेटा	85	0	29	90
	92	3	11	44
	96	0	01	60

1	2	3	4	5
	91	0	01	04
	97	0	07	54
	98	1	00	86
	85/ए	0	01	02
	100	0	09	32
	101	0	00	74
	102	0	06	24
	103	0	00	96
	104	0	11	44
	80	0	08	45
	79	0	06	76
	89/ए	0	26	00
	44	0	09	36
	11	0	08	45
	12	0	04	55
	8	0	34	58
	5	5	07	54
	3	0	13	52
	2	0	01	04
	शाहावाट	0	20	80

[सं. ओ-12016/153/91/ऑ.एन.जा.डी. IV]

एम मर्तिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 834.---Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNXI to GNAQ in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interest in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNXI To GNAQ

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hec- tare	Are	Centiare
1	2	3	4	5
Vanceta	85/B	0	29	90
	92	0	11	44

1	2	3	4	5
	96	0	01	60
	91	0	01	04
	97	0	07	54
	98	0	00	86
	85/A	0	01	02
	100	0	09	32
	101	0	01	74
	102	0	03	24
	103	0	00	96
	104	0	11	44
	80	0	08	45
	79	0	06	76
	39/A	0	26	00
	44	0	09	36
	11	0	08	45
	12	0	04	55
	8	0	34	68
	5	0	07	54
	3	0	13	53
	2	0	01	04
	Cart track	0	20	80

[No. O-12016/153/91-ONG. D-IV]

M. MARTIN, Desk Office

नई दिल्ली, 25 फरवरी, 1992

का.आ. 835. --यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एन एस आई से जी एन एस तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अजित करने का अपना आणव्य एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और वेखमाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी एन एस आई से जी एन एस तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला भरुच तालुका जंबुसर

गाँव	ब्लॉक नं.	हे.	अर	सेंटी.
कालक	733	0	21	45
	731	0	01	30

[सं. ओ-12016/154/91-ओ.एन.जी.डी.-IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 835. --Whereas it appears to the Central Government that it is necessary in the public interest that for the petroleum from GNXI to GNAO in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto. --

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNXI To GNAO.

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hec-tare	Acre	Centiare
Kalak	733	0	21	45
	731	0	01	30

[No. O-12016/154/91-ONG. D-IV]

M. MARTIN, Desk Office.

नई दिल्ली, 25 फरवरी, 1992

का.आ. 836. --यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी-II से जंक्शन बिन्दु तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अजित करने का अपना आणव्य एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप, समक्ष प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और वेखमाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

डी-11 से जंक्शन बिन्दु तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : भरुच	तालुका : जंबुसर		
गांव	ब्लाक नं.	हेक्टेयर	आर	सेंटीयर
कहानवा	45	0	19	24
	46	0	06	99
	47	0	00	15
	39	0	10	40

[नं. ओ-12016/155/91-ओ एन जी डी-IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 836.--Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from D-11 to Junction Point in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makar-pura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

[No. O-12016/155/91-ONG.D-IV]

SCHEDULE

Pipeline from D-11 To Junction Point

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hec-tare	Are	Centia e
Kahanwa	45	0	19	24
	46	0	06	99
	47	0	00	15
	39	0	10	40

[No. O-12016/155/91-ONG. D-IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 25 फरवरी, 1992

का.भा. 837. — यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जंक्शन बिन्दु से डबका जी जी एस/जी सी एस तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

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और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपायक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है :

वर्तते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिवृष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मूलवादी व्यक्तिगत रूप से हों या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जंक्शन बिन्दु से डबका जी जी एस/जी सी एस तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : भरुच	तालुका : जंबुसर		
गांव	ब्लाक नं.	हे.	आर	सेंटीयर
1	2	3	4	5
कहानवा	34	0	00	96
	39	0	00	78
	28	0	17	46
	29	0	20	80
	26	0	11	20
	24	0	11	60
	946	0	11	80
	947	0	18	00
	948	0	00	50
	959	0	15	20
	958	0	06	00
	962	0	00	96
	957	0	18	48
	950	0	00	72
	956	0	25	20
	955	0	09	60
	725	0	08	40
	726	0	20	00
	719	0	14	40
	730	0	12	00
	715	0	26	40
	713	0	10	20
	714	0	22	35
	709	0	00	65
	627	0	01	80
	628	0	19	40
	631	0	17	20
	633	0	12	00
	कार्ट ट्रैव	0	01	96

1	2	3	4	5
	643	0	00	30
	640	0	11	20
	641	0	11	20
	637	0	11	10
	600	0	05	20
	638	0	07	70
	594	0	11	00
	597	0	13	20
	591	0	00	80
	592	0	18	20
	589	0	19	00
	काट ट्रैक	0	01	00
	586	0	16	80
	583	0	16	00
	553	0	10	08
	581	0	10	80
	काट ट्रैक	0	01	00
	580	0	16	40
	579	0	11	00
	575	0	06	40
	577	0	09	60
	576	0	10	00
	572	0	14	40
	काट ट्रैक	0	01	40

[सं. ओ-12016/156/91-ओ एन जी डी-IV]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

SO 337.- Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Junction Point to Dabka GGS/GCS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner,

SCHEDULE

Pipeline from Junction Point to Dabka GGS/GCS

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hec- tare	A're Cen- tiare	
1	2	3	4	5
Kahanwa	34	0	00	96
	39	0	00	78
	28	0	17	46
	29	0	20	80
	26	0	11	20
	24	0	11	60
	946	0	11	80
	947	0	18	00
	948	0	00	50
	959	0	15	20
	958	0	06	00
	962	0	03	96
	957	0	18	48
	950	0	00	72
	956	0	25	20
	955	0	09	60
	725	0	08	40
	726	0	20	00
	719	0	14	40
	730	0	12	00
	715	0	26	40
	713	0	10	20
	714	0	22	35
	709	0	00	65
	627	0	01	80
	628	0	19	40
	631	0	17	20
	633	0	12	00
	Cart track	0	01	96
	643	0	00	30
	640	0	11	20
	641	0	11	20
	637	0	11	10
	600	0	05	20
	638	0	07	70
	594	0	11	00
	597	0	13	20
	591	0	00	80
	592	0	18	20
	589	0	19	00
	Cart track	0	01	00
	586	0	16	80
	583	0	16	00
	533	0	10	08
	581	0	10	80
	Cart track	0	01	00
	580	0	16	40
	579	0	11	00
	575	0	06	40
	577	0	09	60
576	0	10	00	
572	0	14	40	
Cart track	0	01	40	

[No. O-12016/156/91-ONG. D-IV]
M. MARTIN, Desk Officer,

नई दिल्ली, 25 फरवरी, 1992

का. भा. 838 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एन ए बाय से नाडा—1 हिटर तक पेट्रोलियम के परिवहन के लिये पाइपलाइन लेव तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यतः धन पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962, (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

वर्तते कि उक्त भूमि में हितवन् कोई व्यक्ति, उस भूमि के मालिक, पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस प्रायोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड बढ़ोया—9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी एन ए बाई से नाडा—1 हिटर तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात	जिला—भरुच	तालुका—जंबलसर		
गांव	ब्लॉक नं.	है.	आर	सेन्टी.
1	2	3	4	5
नाडा	644	0	06	50
	645	0	03	38
	650	0	05	20
	649	0	01	60
	648	0	11	44
	656	0	04	70
	657	0	00	72
	655	0	00	80
	666	0	04	16
	667	0	10	92
	678	0	05	20
	686	0	11	18
	685	0	01	95
	694	0	00	64
	684	0	00	32
	695	0	15	34
	723	0	05	20
	722	0	00	32
	724	0	05	20
	721	0	09	88
	725	0	06	25
	720	0	00	48
	770	0	03	64
	771	0	03	64
	772	0	05	20

1	2	3	4	5
नाडा—जारी	773	0	14	56
गाडावाड	905	0	08	32
	902	0	00	91
	903	0	04	68
	904	0	04	16
	898	0	07	80
	897	0	00	52
	1038	0	06	24
	881	0	02	60
	880	0	11	18
	878	0	02	08
	877	0	03	90
	875	0	12	40
	1181	0	03	12
	1182	0	02	86
	1180	0	00	50
	1183	0	04	16
	1185	0	04	16
	1186	0	03	12
	1197	0	00	12
	1198	0	09	36
	1208	0	05	46
	1209	0	04	16
	1214	0	02	40
	1213	0	01	04
	1212	0	01	30
	1211	0	01	04
	1210	0	01	56
	1228	0	05	20
	1474	0	00	32
	1468	0	07	54
	1469	0	06	24
	1467	0	02	60
	1466	0	00	16
	1513	0	10	04
	1517	0	03	90

[सं. ओ. 12016/157/91 ओ एन जी सी-IV]

एन० मार्टिन, बैंक अधिकारी

New Delhi, the 25th February, 1992

S.O. 838.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from GNAY in Nada Header in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNAY to NADA-1 Headset
State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hectare	Area	Centiare
1	2	3	4	5
Nada	644	0	06	50
	645	0	03	38
	650	0	05	20
	649	0	01	60
	648	0	11	44
	656	0	04	70
	657	0	00	72
	655	0	00	80
	666	0	04	16
	667	0	10	92
	678	0	05	20
	686	0	11	18
	685	0	01	95
	694	0	00	64
	684	0	00	32
	695	0	15	34
	723	0	05	20
	722	0	00	32
	724	0	05	20
	721	0	09	88
	725	0	06	25
	720	0	00	48
	770	0	03	64
	771	0	03	64
	772	0	05	20
	773	0	14	56
	Cart track	0	05	20
	905	0	08	32
	902	0	00	21
	903	0	04	68
	904	0	04	16
	898	0	07	80
	897	0	00	52
	1038	0	06	24
	881	0	02	60
	880	0	11	18
	878	0	02	08
	877	0	03	90
	875	0	12	40
	1181	0	03	12
	1182	0	02	86
	1180	0	00	50
	1183	0	04	16
	1185	0	04	16
	1186	0	03	12
	1197	0	00	12
	1198	0	09	36
	1208	0	05	46
	1209	0	04	16
	1214	0	02	40
	1213	0	01	04

1	2	3	4	5
	1212	0	01	30
	1211	0	01	04
	1210	0	01	56
	1228	0	05	20
	1474	0	00	32
	1468	0	07	54
	1469	0	06	24
	1467	0	02	60
	1466	0	00	16
	1513	0	10	04
	1517	0	03	90

[No. O-12016/157/91-ONG. D. IV]

M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी, 1992

का. आ. 839 : यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एन सी पी से जी एन ए क्यू तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी साधनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार प्रजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवर्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार प्रजित करने का अपना आशय एतद्वारा घोषित किया है।

बसते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस प्रायोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडोदा 9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करते वला हर व्यक्ति अनिवार्यतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी गुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

जी एन सी पी से जी एन ए क्यू तक पाइप लाइन बिछाने के लिए

राज्य—गुजरात	जिला—भरुच	तालुका—जंबुसर			
गांव	अंक नं.	है.	आर.	सेन्टी.	
1	2	3	4	5	
बसिटा	85 /ए/बी	0	20	80	
	33	0	20	54	
	22	0	00	48	
	21	0	06	50	
	20	0	00	52	
	15	0	13	52	
	14	0	00	14	
	13	0	07	28	
	12	0	07	28	
कांडट्टक		0	01	95	

1	2	3	4	5
वांसेटा—जारी	7	0	13	52
	8	0	15	60
	1	0	15	08
	296	0	11	41

[सं. प्रो. 12016/158/91-प्रो एन जी डी-4]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, 25th February, 1992

S.O. 839.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNCP to GNAQ in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline it is necessary to acquire that right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vidodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNCP To GNAQ.

State : Gujarat	District : Bharuch	Taluka : Jambusar			
Village	Block No.	Hec-tare	Are	Cen-tiare	
Vanseta	85/A/B	0	20	80	
	33	0	20	54	
	22	0	00	48	
	21	0	06	50	
	20	0	00	52	
	15	0	13	52	
	14	0	00	14	
	13	0	07	28	
	12	0	07	28	
	Cart track	0	01	95	
	7	0	13	52	
	8	0	15	60	
	1	0	15	08	
	296	0	11	44	

[No. O-12016/158/91-O.N.G. D. IV]
M. MARTIN, Desk Officer.

नई दिल्ली, 25 फरवरी, 1992

का. प्रो. 840 :—यहां केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में गजेरा-1 से डबका जी. सी. एन. तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तैयार तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एनपावड अनुसूची में वर्णित भूमि में उपयोग का अधिकार प्रजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उक्त उपयोग का अधिकार प्रजित करने का अपना आग्रह एनपावड घोषित किया है।

अर्थात् कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उक्त भूमि के लिये पाइप लाइन बिछाने के लिए, आक्षेप, भक्षम प्राधिकारी, तैल तथा प्राकृतिक गैस प्रायोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा 9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकता है।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफ़न।

अनुसूची

गजेरा-1 से डबका जी. सी. एन. तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला : भरुच	तालुका : जंबुसर			
गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेंटियर	
1	2	3	4	5	
गजेरा	1403	0	17	40	
	1401	0	00	90	
	1391	0	15	30	
	1682	0	04	50	

[सं. प्रो. 12016/159/91-प्रो एन जी डी-4]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, 25th February, 1992

S.O. 840.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Gajera-1 to Dabka-GCS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from Gajera-1 to Dabaka GCS.

State : Gujarat	District : Bharuch	Taluka : Jambusar		
Village	Block No.	Hec- tare	Are	Centiare
Gajera	1403	0	17	40
	1401	0	00	90
	1391	0	15	30
	1682	0	04	50

[No. O-12016/159/91-O.N.G. D. IV]
M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी, 1992

का. प्रा. 841 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी वी टी से जंक्शन बिन्दु तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जायी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बतते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, द.डी.वा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

जी. वी. टी. से जंक्शन बिन्दु तक पाइप लाइन बिछाने के लिये

राज्य : गुजरात	जिला : भरुच	तालुका : जंबुसर		
गांव	ब्लॉक नं.	हेक्टेयर	घार.	सेण्टीयर
1	2	3	4	5
कहानवा	67	0	04	94
	59	0	17	55
	58 ए.	0	07	02

1	2	3	4	5
कहानवा—जारी	50	0	01	96
	49	0	06	88
	48	0	08	58
	47	0	08	06
	34	0	08	81

[सं. ओ 12016/160/91-ओ एन जी डी-4]
एम. ओ. मार्टिन, डेस्क अधिकारी

S.O. 841.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from DBT to Junction Point in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from DBT to Junction Point

State : Gujarat	District : Bharuch	Taluka : Jambusar		
Village	Block No.	Hec- tare	Are	Centiare
Kahanwa	67	0	04	94
	59	0	17	55
	58/A	0	07	02
	50	0	01	96
	49	0	06	88
	48	0	08	58
	47	0	08	06
	34	0	08	81

[No. O-12016/160/91-ONG. D. IV]
M. MARTIN, Desk Officer.

नई दिल्ली, 25 फरवरी, 1992

का. प्रा. 842—यतः केन्द्रीय सरकार का यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एन जी से जी एम जी के जी एन जी ए तक पेट्रोलियम

के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाव्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अधिपेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 1 द्वारा प्रदत्त शक्तियाँ का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बतर्कित कि उक्त भूमि में हितवद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड़ बडोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी एन जी जे से जी एन जी के/जी एन जी ए तक पाइप लाइन बिछाने के लिए

राज्य :	गुजरात	जिला :	भरुच	तालुका :	वागरा
गांव	ब्लॉक नं.	हेक्टेयर	भार	सेन्टीमिटर	
मुनेर	82	0	42	00	
	81	0	33	60	
	73	0	48	00	
	76	0	06	00	
	75	0	34	00	

[मं. ओ. 12016/161/91 ओ एन जीडी-4]

एम० माटिन. हेस्त अधिकांशी

New Delhi, the 25th February, 1992

S.O. 842.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNGJ to GNGK/GNGA in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification,

object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNGJ To GNGK/GNGA

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec-tare	Are	Cent-tiare
Muller	82	0	42	00
	81	0	33	60
	73	0	48	00
	76	0	06	00
	75	0	34	00

[No. O-12016/161/91-ONG. D. IV]
M. MARSHIN, Desk Officer.

नव दिल्ली, 25 फरवरी, 1992

का. भा. 843.—अतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक हित में यह आवश्यक है कि गुजरात राज्य में जी एन जी जे से इक्क्यू एच आई वहेज तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसा लाइनों को बिछाने के प्रयोजन के लिए एतद्पाव्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अधिपेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 1 द्वारा प्रदत्त शक्तियाँ का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बतर्कित कि उक्त भूमि में हितवद्ध कोई व्यक्ति उसम भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड़ बडोदा 9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

डी जे ए. जे. से उक्त एच. आई. वहेज तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला भाख	तालुका :	वागरा
गांव	ब्लॉक नं.	हेक्टेयर	घा. सेन्टीमीटर
रहीयाद	199	0	03 12
	200	0	03 25

[सं. ओ. 12016/162/91 ओ. एन. जी. डी.-4]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 843.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from DJAJ to WHI Dahej in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from DJAJ To WHI Dahej

State Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec-tare	Are	Centiare
Rahiyad	199	0	03	12
	200	0	03	25

[O-12016/162/91-ONG. D. IV]
M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी 1992

का. भा. 844. - यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एन जी एच. से जी एन. ए. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन लेन तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यतः प्रतीत होता है कि ऐसे भाइयों को बिछाने के प्रयोजन के लिये एन. व. अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एन. व. घोषित किया है।

बतते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के लिये पाइप लाइन बिछाने के लिए आक्षेप सूक्ष्म प्राधिकारी तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित है कि उसकी सूचनाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माध्यम।

अनुसूची

जी एन जी एच. से जी ए. एन. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला भाख	तालुका वागरा		
गांव	ब्लॉक नं.	हेक्टेयर	घा. सेन्टीमीटर	
मुलेर	57	0	00	70
	56	0	19	80
	55	0	11	88
	54	0	15	84
	53	0	20	28
	61	0	26	60
	63	0	42	00

[सं. ओ. 12016/63/91 ओ. एन. जी. डी.-4]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 844.—Whether it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNGH to GNAA in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification.

object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNGH To GNAA.

State : Gujarat District : Pharuch Taluka : Vagra

Village	Block No.	Hec-tare	Are	Centiare
Muller	57	0	00	70
	56	0	19	80
	55	0	14	88
	54	0	15	84
	53	0	20	28
	61	0	26	60
	63	0	42	00

[No. O-12016/163/91-ONG. D. IV]
M. MARTIN, Desk Officer.

नई दिल्ली, 25 फरवरी, 1992

का. भा. 845.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी. एन. जी. एस. से जी. एन. जी. एफ. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और, यतः, यह प्रतीत होता है कि ऐसी जगहों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वशात कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम अधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकर-पुरा रोड, बड़ोदा-9 की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफ़त।

अनुसूची

जी एन जी एस से जी एन जी एफ तक पाइप लाइन बिछाने के लिए
राज्य : गुजरात जिला : फरुच तालुका : वागरा

गाँव	ब्लॉक नं.	हेक्टेयर	आर	सेन्टियर
गंधार	412	0	18	40
	411	0	29	20
	406	0	37	20
	404	0	26	20
	403	0	14	00
	401	0	07	20
	399	0	09	98
	397	0	24	00
	398	0	00	25

[सं. ओ 12016/164/91 ओ एन जी डी 4]

एम० मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 845.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNGS to GNGF in Gujarat State pipeline should be laid by the oil & Natural Gas Commission.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNGS To GNGF.

State : Gujarat District : Pharuch Taluka : Vagra

Village	Block No.	Hec-tare	Are	Centiare
Gandhar	412	0	18	40
	411	0	29	20
	406	0	37	20
	404	0	26	20
	403	0	14	00
	401	0	07	20
	399	0	09	98
	397	0	24	00
	398	0	00	25

[No. O-12016/164/91-ONG. D. IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 25 फरवरी, 1992

क्र. घा. 846—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एन एफ यू से जी एन एफ बाई तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और, यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वाचक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

जी एन एफ यू से जी एन एफ बाई तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात		जिला : भरुच		तालुका : वागदा	
गांव	ब्लाक	नं.	हैक्टर	आर	सेण्टियर
मुसेर		63	1	02	00

[संख्या ओ 12016/165/91—ओ एन जी डी-4]

एन० मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

So. 846.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNPU to GNFY in Gujarat State pipeline should be laid by the oil & Natural Gas Commission.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNPU To GNFY.

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec- tare	Are Centiare
Muller	63	1	02 00

[No. 12016/165/91-ONG. D. IV]
M. MARTIN, Desk Officer.

नई दिल्ली, 25 फरवरी, 1992

क्र. घा. 847.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित यह आवश्यक है कि गुजरात राज्य में जी. ए. डी. जे. से वहेज जी. जी. एस. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिये।

और, यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाचक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग मकरपुरा रोड बड़ोदा 9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

जी. जे. ए. जे. से वहेज जी. जी. एस. तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला :	भरुच	तालुका : वागड	
1	2	3	4	5
गांव	ब्लाक नं	हैक्टर	आर	सेंटीयर
कोलीयाद	66	0	12	48
	113	0	35	56
	112	0	09	36
	111	0	14	56
	110	0	12	48
	114	0	20	80

1	2	3	4	5	1	2	3	4	5
	108/बी	0	21	84		197	0	02	08
	काटे ट्रक	0	07	28		196	0	11	44
	136/बी	0	26	00		201	0	07	28
	197	0	02	08		195	0	26	00
	196	0	11	44		185	0	12	48
	201	0	07	28		193	0	10	40
	195	0	26	00		186	0	15	60
	185	0	12	48		187	0	07	28
	193	0	10	40		183/A	0	07	90
	186	0	15	60		183/B	0	22	88
	87	0	07	28		182	0	07	60
	183/ए	0	07	90					
	183/बी	0	22	88					
	182	0	07	60					

[म. ओ. 12016/166 ओ एन जी डी 4]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, 25th February, 1992

S.O. 847.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from DJAJ to Dahej GGS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from DJAJ to DAHEJ GGS

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec-tare	Are	Centi-are
1	2	3	4	5
Koliad	66	0	12	48
	113	0	35	56
	112	0	09	36
	111	0	14	56
	116	0	12	48
	114	0	20	80
	108/B	0	21	84
	Cart track	0	07	28
	136/B	0	26	00

[No. O.-12016/166/91-ONGD- IV]

M. MARTIN, Desk Officer

नई दिल्ली 25 फरवरी, 1992

का. आ. 848.—यह : केन्द्रीय सरकार को यह प्रतीत होता है कि सार्वजनिक में यह आवश्यक है कि गुजरात राज्य में जो एन ई वार्ड से जो एन एच डी तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तैयार तथा प्राप्ति के लिए आवश्यक द्वारा विद्यार्थी जार्ज चाहिए।

और यह : यह प्रतीत होता है कि ऐसा चाहते हैं कि विद्यार्थी के प्रयोजन के लिए एन एच डी से जो एन एच डी तक पेट्रोलियम का अधिकार अर्जित करना आवश्यक है।

अतः : जहाँ, पेट्रोलियम और पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का अधिनियम 1962 (1962 का 50) का धारा 3 को अधिनियम 1 द्वारा प्रदान अधिकारों का प्रयोग करने हुए, केन्द्रीय सरकार ने जहाँ उपयोग का अधिकार अर्जित करने का प्रस्ताव प्रस्तुत एन एच डी द्वारा किया है।

यदि कि जहाँ भूमि में विद्यार्थी कोई व्यक्ति, जो भूमि के लिये आवश्यक विद्यार्थी के लिए पालने अथवा अधिकारी तैयार तथा प्राप्ति के लिए आवश्यक, विद्यार्थी और देशपान प्रदान मकरपुरा रोड, वडोदरा-390009 को इस अधिनियम को तारोख से 21 दिनों के अंतर कर लेंगे।

और ऐसा आदेश करने वाला हर व्यक्ति विनिश्चित यह कि कथन करना कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी को मार्फत।

अनुसूची

जी एन ई वार्ड से जी एन एच डी तक पाइप लाइन विद्यार्थी के लिए

राज्य : गुजरात जिला : भरुच तालुका : वाग्रा

गाँव	ब्लॉक नं.	हे.	आर	सेन्टी
1	2	3	4	5
गंधार	321	0...	80	00

[म. ओ. 12016/167/91 ओ एन जी डी 4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, 25th February, 1992

S.O. 848.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNEY to GNHD in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNFU to CNFD

State : Gujarat	District : Bharuch	Taluka : Vagra		
Village	Block No.	Hec-tare	Are	Centiare
Gandhar	321	0	80	00

[No. O. 12016/167/91-ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, फरवरी, 25, 1992

का.प्रा. 849 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एन एफ यू से ई पी एस तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और, यतः, यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962, (1962 का 50) की धारा 3 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्त कि उस भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड़, बड़ीदारा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चिततः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी को मार्फत।

अनुसूची

जी एन एफ यू से ई पी एस तक पाइप लाइन बिछाने के लिए				
राज्य : गुजरात	ज़िला : भारुच	तालुका : वाग्रा		
ग्राम	ब्लॉक नं.	हे.	आर.	सेन्टो
मुलेर	63	0	34	45

[सं. ओ.-12016/168/91-ओ.एन.जी.डी-4]

एम मार्टिन, डेस्क अधिकारी

New Delhi, 25th February, 1992

S.O. 849.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNFU to EPS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNFU to E.P.S.

State : Gujarat	District : Bharuch	Taluka : Vagra		
Village	Block No.	Hec-tare	Are	Centiare
Muller	63	0	34	45

[No. O-12016/168/91-ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली फरवरी, 25, 1992

का.प्रा. 850 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में गोलादरा-1 से जीओएस 4 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और, अतः, यह प्रतीत होता है कि ऐसी लाइन को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार

ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्णन कि उक्त भूमि में हितवद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

गोलादरा-1 में जी.जी.एम-4 तक पाइपलाइन बिछाने के लिए।

राज्य : -- गुजरात	जिला : -- भरुच	तालुक : वागरा			
गांव	ब्लॉक नं.	हे.	आर.	सेन्टी	
पनीयादरा	186	0	02	94	
	187/ए-बी	0	19	34	
	191	0	04	48	
	192	0	03	51	
	247	0	00	88	
	249	0	13	68	
	251	0	07	41	
राडावाह		0	01	04	

[सं. अ. 12016/169/91-ओ.एन.जी.सी. IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 850.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Goladra-1 to CGS-IV in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from Goladra-1 to GGS IV

State : Gujarat Distric : Bharuch Taluka : Vagra

Village	Block No.	Hec tare	Are	Cen tiare
1	2	3	4	5
Paniyadra	186	0	02	94
	188/A + B	0	19	34
	191	0	04	43

1	2	3	4	5
	192	0	03	51
	247	0	00	88
	249	0	13	68
	251	0	07	41
	Cart trac	0	01	04

[No. O-12016/169/91-ONGD-IV]

M. MARTIN, Desk Officer

नई दिल्ली 25, फरवरी 1992

का.अ. 850:—जहाँ केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी.एन.जी.एम. से जी.जी.एस-IV तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह माना जाता है कि ऐसी ज़ाहनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्णन कि उक्त भूमि में हितवद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी.एन.जी.एम. से जी.जी.एस. II तक पाइप लाइन बिछाने के लिए।

राज्य : -- गुजरात	जिला : भरुच	तालुक : वागरा			
गांव	ब्लॉक नं.	हे.	आर.	सेन्टी	
1	2	3	4	5	
पानडी	24	0	02	12	
	25	0	06	24	
	26	0	07	54	
	27	0	10	66	
	30	0	15	47	
	15	0	09	62	
	काट ट्रेक	0	01	56	
	416	0	06	76	
	414	0	03	64	
	419	0	18	72	
	417	0	21	97	
	400	0	14	69	
	402	0	13	65	
	353/ए-बी	0	21	84	
	372	0	23	53	
	373	0	09	62	
	366	0	00	38	
	365	0	27	04	

1	2	3	4	5
	287	0	03	60
	283	0	18	98
	285	0	14	56
	277/बी	0	08	84
	276/बी	0	23	53
	268	0	15	73
	269	0	26	26
	273	0	09	23
	274	0	02	86

[(सं. ओ.-12016/170/91-ओ.एन.जी.जी. 4)]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, 25th February, 1992

S.O. 851.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNGM to GGS-II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas, appears that for the purpose of laying such pipeline it is necessary to acquire that right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GNGM TO GGS-II

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec-tare	Are	Centiare
1	2	3	4	5
Paldi	24	0	02	12
	25	0	06	24
	26	0	07	54
	27	0	10	66
	30	0	15	47
	15	0	09	62
	Cart track	0	01	56
	416	0	06	76
	414	0	03	64
	419	0	18	72
	417	0	21	97
	400	0	14	69
	402	0	13	65
	353/A—B	0	21	84
	372	0	23	53

1	2	3	4	5
	373	0	09	62
	366	0	00	38
	365	0	27	04
	287	0	02	60
	283	0	18	98
	285	0	14	56
	277/B	0	08	84
	276/B	0	23	53
	268	0	15	73
	269	0	26	26
	273	0	09	23
	274	0	02	86

[No. O-12016/170/91-ONGD-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी, 1992

का.आ. 851:—जहाँ केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं. 15 से एन. आर्डी.पी. 34 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयासन के लिए एन.एन.डी.ए. अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और अतिरिक्त पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदान किये गये अधिकारों के अन्तर्गत केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का आदेश आदेश पत्रावली घोषित किया है।

जहाँ कि उक्त भूमि में शायद कोई व्यक्ति, उन भूमि के नीचे पाइपलाइन बिछाने के लिए अधिकृत व्यक्ति को तेल तथा प्राकृतिक गैस आपूर्ति, निर्यात और देशजाल प्रणाली, पत्तनगुला रोड, वडोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आदेश करने वाला हर व्यक्ति विनिश्चितः यह भी कहना करेगा कि क्या वह यह चाहता है कि उसकी गुप्तताई अविनाशित रूप से हो गया किसी विधि व्यवसायी की मार्फत।

अनुसूची

कूप नं. 15 से एन.आर्डी.पी. 34 तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : मेहसाणा तालुक : कसोल

शॉव	सर्वे नं.	हेक्टेयर	आर.	सेन्टीयर
1	2	3	4	5
जेरलज	372/2	0	06	50
	364/1	0	01	50
	364/2	0	04	70
	362/1	0	03	00
	357/1	0	04	70
	357/2	0	01	45
	कार्ट ट्रैक	0	00	45
	475	0	03	45
	477/3	0	01	05
	477/1	0	2	50

1	2	3	4	5
	478/बी/1	0	3	55
	478/1/सी	0	2	55
	479/1/ए	0	0	50
	480/2	0	1	95
	480/1	0	2	20
	486	0	3	55
	483	0	1	15
	484	0	04	20
	550/2	0	04	50
	550/1	0	04	35
	1	0	07	20
	7	0	02	20
	8/2	0	00	80
	9/2	0	02	20
	10/पी	0	00	75
	10/पी	0	01	70
	24/1	0	01	00
	27/2	0	01	00
	28	0	01	70
	29/2	0	01	70
	30/1	0	01	80
	31/पी	0	02	10
	31/पी	0	05	90
	32/2	0	03	45
	32/पी	0	01	95
	32/पी	0	02	10
	बार्ट ट्रेक	0	00	35
	162/2	0	02	65
	162/1	0	04	65
	148	0	03	85
	149	0	04	20
	146	0	02	15
	98/1	0	04	25
	99/2	0	03	40
	89	0	01	40
	91/2	0	12	30
	92/2	0	04	50
	92/1	0	00	50
	61	0	03	55
	60	0	03	50
	58	0	02	60
	56	0	03	75
	57	0	04	05

[सं. प्रो.-12016/171/91- प्रो.एन.जी.डी. 4]
एच. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. No. 852.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from well No. 15 to SIP 34 in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire that right

of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipe line from Well No. 15 to S.I.P. —34

State : Gujarat District : Mehsana Taluka : Kalol

Village	Survey No.	Hec- tare	Acre	Con- tiare
1	2	3	4	5
Jethlaj	372/2	0	06	50
	364/1	0	01	50
	364/2	0	04	70
	362/1	0	03	00
	357/1	0	04	70
	357/2	0	01	45
	Cart track	0	00	45
	475	0	03	45
	477/3	0	01	05
	477/1	0	2	50
	478/B/1	0	3	55
	478/1/C	0	2	55
	479/1/A	0	0	50
	480/2	0	1	95
	480/1	0	2	20
	486	0	3	55
	483	0	1	15
	484	0	04	20
	550/2	0	04	50
	550/1	0	04	35
	1	0	07	20
	7	0	02	20
	8/2	0	00	80
	9/2	0	02	20
	10/P	0	00	75
	10/P	0	01	70
	24/1	0	01	00
	27/2	0	01	00
	28	0	01	70
	29/2	0	01	70
	30/1	0	01	80
	31/P	0	02	10
	31/P	0	05	90
	32/2	0	03	45
	32/P	0	01	95
	32/P	0	02	10
	Cart track	0	00	35
	162/2	0	02	65
	162/1	0	01	65

1	2	3	4	5
	148	0	03	85
	149	0	04	20
	146	0	02	15
	98/1	0	04	25
	99/2	0	03	40
	89	0	01	40
	91/2	0	12	30
	92/2	0	04	50
	92/1	0	00	50
	61	0	03	55
	60	0	03	00
	58	0	02	60
	56	0	03	75
	57	0	04	05

[No. O-12016/171/91-ONG D. IV]

M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी, 1992

सं. 853 :- यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एन. के. सी. आई. एफ. से सरखेज तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः, यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडोदा-9 को इस अधिसूचना की तारीख से 2 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

नॉर्थकडी सी. टी. एफ. से सरखेज तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात	जिला : मेहसाणा	तालुका : कलोल		
गांव	ब्लॉक नं.	हेक्टर	आर.	सेन्टीयर
वायणा	338	0	31	40
	336	0	25	00
	335	0	16	20
	334	0	07	30
	333	0	22	80
	325	1	04	90

[सं. ओ.-12016/172/91-ओ.एन.जी.डी. 4]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 853.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from N.K. CTF to Sarkhej in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquired that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by subsection (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in

the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from North Kadi CTF to Sarkhej

State : Gujarat District : Mehsana Taluka : Kalol

Village	Block No.	Hec-tare	Are	Cent-tiare
Vayana	338	0	31	40
	336	0	25	00
	335	0	16	20
	334	0	07	30
	333	0	22	80
	325	1	04	90

[No. O-12016/172/91-ONG-D-4]

M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी, 1992

का. आ. 854 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में ईलाह-2 से एस. डब्ल्यू. एम. बी. तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

ईलाह-2 से एस डब्ल्यू एम बी तक पाइप लाइन बिछाने के लिए।

राज्य - गुजरात जिला - भाखच तालुका - हांसोट

गांव	ब्लॉक नं.	हेक्टर	आर.	सेन्टीयर
1	2	3	4	5
मालणपुर	225	0	04	03
	224	0	07	82
	219/बी	0	11	96
	218	0	02	56
	207/ए-बी	0	09	65
	204	0	07	61
	201	0	07	41
	206	0	13	66

[सं. ओ.-12016/173/91-ओ.एन.जी.डी.-
एम. मार्टिन, डेस्क अधिकारी]

New Delhi, the 25th February, 1992

S.O. 854.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Ellav-2 to SWMB in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquired that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by legal Practitioner.

SCHEDULE

Pipeline from ELLAV-2 to SWMB

State : Gujarat District : Bharuch Taluka : Hansot

Village	Block No.	Hec-tare	Are	Centi-tare
Malanpor	225	0	04	03
	224	0	07	82
	219/B	0	11	96
	218	0	02	56
	207/A—B	0	09	65
	204	0	07	61
	201	0	07	41
	206	0	13	66

[No. O-12016/173/71-ONGD-4]

M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी, 1992

का. आ. 855 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एच डब्ल्यू ई. यू. से लनवा ई पी एस - I तक पेट्रोलियम के परिवहन के लिए पाइपलाइन नल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी ज़ादनों को बिछाने के प्रयोजन के लिए एतदभावद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोद, -9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफत।

अनुसूची

एल. डब्ल्यू. ई. यू. से लनवा ई पी एस - I तक पाइप लाइन बिछाने के लिए :—

राज्य : गुजरात जिला : महेसाणा तालुका : चनासभा

गांव	सर्वे नं.	हेक्टेयर	आर.	सेन्टीयर
1	2	3	4	5
दानोदरडा	554	0	03	48
	555/1	0	08	04
	593	0	04	44
	592/पी	0	06	84
	592/पी	0	02	88

[सं. ओ - 12016/174/91 - ओ एन जी डी - 4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 855.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the Petroleum from LWEU to Lanwa EPS I in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquired that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by legal Practitioner.

SCHEDULE

Pipeline from LWEU to LANWA EPS.I

State : Gujarat District : Mehsana Taluka : Chanasma

Village	Survey No.	Hec-tare	Are	Centi-tare
Danodarda	554	0	03	48
	555/1	0	08	04
	593	0	04	44
	592/P	0	06	84
	592/P	0	02	88

[No. O-12016/174/91-ONGD-4]

M. MARTIN, Desk Office

नई दिल्ली, 25 फरवरी, 1992

का. आ. 856:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि जोकॉहिन में यह आवश्यक है कि गुजरात राज्य में एम. डब्ल्यू.एफ. डी. (40) से लनवा ई पी एस-1 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समझ प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एम. डब्ल्यू. एफ. डी. (40) से लनवा ई. पी. एस. I तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : मेहसाणा तालुका : चानसमा

गांव	सर्वे नं.	हेक्टेयर आर.	सेन्टीयर	
1	2	3	4	5
दानोदरदा	93	0	01	92
	95	0	09	48
	97/2	0	11	61
	98	0	00	60

[सं. ओ - 12016/175/91 - ओ एस जी डी - 1]

एम. मार्टिन, डैस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 856.-Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the Petroleum from LWFD (40) to Lanwa EPS. I in Gujarat State Pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquired that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390 009.

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by legal Practitioner.

SCHEDULE

Pipeline from LWFD (40) to Lanwa EPS.I.

State : Gujarat District : Mehsana Taluk : Chanasma

Village	Survey No.	Hec-tare	Are	Centiare
Danodarda	93	0	01	92
	95	0	09	48
	97/2	0	11	61
	98	0	00	60

[No. O-12016/175/91-ONG-D-4]

M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी, 1992

का. आ 857:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि जोकॉहिन में यह आवश्यक है कि गुजरात राज्य में एम डब्ल्यू एफ एफ (37) से लनवा ई पी एस -II तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समझ प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

एम डब्ल्यू एफ एफ (37) से लनवा ई पी एस-II तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात जिला : मेहसाणा तालुका : चानसमा

गांव	सर्वे नं.	हेक्टेयर आर.	सेन्टीयर	
दानोदरदा	102	0	02	40
	102	0	09	60
	102	0	08	88

[सं. ओ - 12016/176/91 - ओ एस जी डी - 4]

एम. मार्टिन, डैस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 857.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the Petroleum from LWFF (37) to Lanwa EPS. II in Gujarat State Pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquired that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from LWFF (37) to LANWA EPS. II.

State : Gujarat District : Mehsana Taluka : Chanasma

Village	Survey No.	Hec-tare	Acre Cen-tiare
Danodarda	102	0	02 40
	102	0	09 60
	102	0	08 88

[No. O-12016/176/91-ONG-D-4]

M. MARTIN, Desk Office

नई दिल्ली, 25 फरवरी, 1992

का. आ. 858—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में एल डब्ल्यू ई वी (32) से लनवा ईपीएस-1 तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुमति में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने द्वारा केन्द्रीय सरकार ने उसके उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवश कोई व्यक्ति, उस भूमि के लोभ पाइप लाइन बिछाने के लिए आक्षेप, मक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडौदा - 9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी बतलानेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माध्यम से।

अनुसूची

एल डब्ल्यू ई वी (32) से लनवा ईपीएस-1 तथा पाइप लाइन बिछाने के लिए।

राज्य : गुजरात

जिला : मेहसाणा

तालुका : चानस्मा

गांव	सर्वे नं.	हैक्टर	घार	सेन्टीघर
1	2	3	4	5
दाणदरडा	595	0	00	28
	596	0	10	84
	597	0	05	76
	592/पी	0	04	80
	591	0	06	36
	590	0	06	48
	589	0	01	32
	588	0	12	96
	585	0	02	52
	588	0	06	00
	584	0	04	56
	568	0	05	64
	569	0	11	28
	570	0	05	94
	571	0	01	56
	534/पी	0	02	76
	534/पी	0	14	52
	516/पी	0	01	08
	528	0	08	40
	527	0	02	88
	526	0	07	80
	525	0	04	68
	599	0	10	20
	591	0	00	60

[म. ओ - 12016/177/91 - ओ एन जी सी - 4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 858.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from LWFF (32) to Lanwa EPS-1 in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquired that right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission.

sion, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by legal Practitioner.

SCHEDULE

Pipeline from LWEV (32) to LANWA EPS-I

State : Gujarat District : Mehsana Taluka : Chanasama

Village	Survey No.	Hec-tare	A-c	Centiare
Danodarda	595	0	00	48
	596	0	10	84
	597	0	05	76
	592/P	0	04	80
	591	0	06	36
	590	0	05	43
	589	0	01	32
	588	0	12	96
	565	0	02	52
	568	0	06	00
	584	0	04	56
	568	0	05	64
	569	0	11	28
	570	0	05	04
	571	0	01	56
	534/P	0	02	76
	534/P	0	14	52
	516/P	0	01	08
	528	0	08	40
	527	0	02	88
	526	0	07	80
	525	0	04	68
	599	0	10	20
	591	0	00	60

[No. O-12016/177/91-ONG-D-4]

M. MARTIN, Desk Office.

नई दिल्ली, 25 फरवरी, 1992

का. आ. 859-यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एल डब्ल्यू डी ओ से लनवा ई पी एस-II तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जाती चाहिए :

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ;

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है ;

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप संवम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मुकरपुरा रोड, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा। और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी गुप्तता व्यक्तिगत रूप से हो या किसी विधि व्यवसायी को मार्फत।

अनुसूची

एल. डब्ल्यू. डी. ओ. से लनवा ई. पी. एस. I तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : मेहसामा तालुका : चानसामा

गांव	सर्वे नं०	हेक्टेयर	आर०	सेन्टीयर
लनवा	510	0	18	00
	433	0	25	44
	436	0	07	32

[सं. ओ - 12016/178/91 - ओ एन जी डी - 4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 859.--Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from LWDO to Lanwa-EPS-I in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquired that right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares it's intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009;

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by legal Practitioner.

SCHEDULE

Pipeline from LWDO, to LANWA EPS.I

State : Gujarat District : Mehsana Taluka : Chansama

Village	Survey No.	Hec-tare	A-c	Centiare
Eanwa	510	0	18	00
	433	0	25	44
	436	0	07	32

[No. O-12016/178/91-ONG-D-4]

M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी, 1992

का.आ. 860 :- यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एल डब्ल्यू डी ओ, एल डब्ल्यू डी एल से लनवा ई पी एस-I तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आशेष समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 2 दिनों के भीतर कर सकेगा,

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एल. डब्ल्यू. डी. ओ., एल. डब्ल्यू. डी. एल से लनवाई पी एस-1 तक पाइप लाईन बिछाने के लिए।

राज्य - गुजरात	जिला - मेहसाना	तालुका - चाणस्मा		
गांव	सर्वे नं.	हे.	आर.	सेन्टी.
मिठाधारवा	474	0	13	20
	481	0	07	20
	480	0	02	76
	479	0	10	20
	485	0	05	28

[सं. ओ. -12016/179/91-ओ. एन. जी.-डी.-4]

एम. मार्टिन, डेस्क अधिकारी

S.O. 860.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from LWDO, LWDY to Lanwa EPS-I in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the Land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from LWDO, LWDY to LANWA EPS. I.

State : Gujarat District : Mehsana Taluka : Chanasma

Village	Survey No.	Hectare	Acre	Centiare
Mithadharava	474	0	13	20
	481	0	07	20
	480	0	02	76
	479	0	10	20
	485	0	05	28

[No. O-12016/179/91-ONG-D-4]

M. MARTIN, Desk Officer

नई दिल्ली, 25 फरवरी, 1992

का. आ. 861—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में एल डब्ल्यू ए जे (19) से लनवाई पी एस-1 तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए;

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है;

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आशेष समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत;

अनुसूची

एल डब्ल्यू. ए. जे. (19) से लनवाई पी एस-1 तक पाइप लाईन बिछाने के लिए।

राज्य - गुजरात	जिला - मेहसाना	तालुका - चाणस्मा		
गांव	सर्वे नं.	हेक्टेयर	आर.	सेन्टीयर
मिठाधारवा	379	0	07	56
	398	0	03	96
	397/पी	0	07	80
	397/पी	0	08	40
	396/पी	0	08	40
	396/पी/1	0	02	16
	403	0	05	40

[सं. ओ - 12016/180/91-ओ एन जी डी - 4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 25th February, 1992

S.O. 861.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from LWAJ (19) to Lanwa EPS-I in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009,

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from LWAJ (19) to LANWA EPS.I.

State : Gujarat	District : Mehsana	Taluka : Chanasma		
Village	Survey No.	Hectare	Acre	Centiare
Mithadharava	379	0	07	56
	398	0	03	96
	397/P	0	07	80
	397/P	0	08	40
	396/P	0	08	40
	396/P/1	0	02	16
	403	0	05	40

[No. O-12016/180/91-ONG-D-4]

M. MARTIN, Desk Officer

